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No. 12]

NEW DELHI, SATURDAY, MARCH 23, 1991/CHAITRA 2, 1913

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India other than
the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 5 फरवरी, 1991

का.आ. 812.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पी. राजामानिकम, अधिवक्ता, उच्च न्यायालय, मद्रास को, दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों से उद्भूत होने वाली अपीलें, पुनरीक्षण और अन्य मामलों के मंचालन के प्रयोजन के लिए, मद्रास स्थित तमिलनाडु उच्च न्यायालय में विशेष लोक अभियोजक नियुक्त करती है।

[संख्या 225/27/90-ए.वी.डी. II]

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES &
PENSIONS

(Department of Personnel & Training)

New Delhi, the 5th February, 1991

S.O. 812.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure,

1973 (2 of 1974), the Central Government hereby appoints Sri P. Rajamanickam, Advocate, High Court, Madras Special Public Prosecutor in the High Court of Tamilnadu at Madras for the purpose of conducting appeals, revisions and other matters arising out of cases instituted by the Delhi Special Police Establishment.

[No. 225/27/90-AVD.II]

आदेश

नई दिल्ली, 6 मार्च 1991

का.आ. 813.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम 1946 (1946 का अधिनियम 25) की धारा 6 के साथ पठित, धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए पुलिस स्टेशन निशान श्रीनगर, जम्मू और कश्मीर के अंतर्गत रजिस्टर किए गए मामला सं. 105/90 दिनांक 26-10-90 के बाबत आतंकवादी और विध्वंसकारी क्रिया कलाप (निवारण) अधिनियम, 1987 (1987 का अधिनियम 28) की धारा-3 तथा 4, भारतीय शस्त्र अधिनियम 1959 (1959 का अधिनियम 54) की धारा 25 तथा रणवीर दंड संहिता की धारा 302, 364, 392 के अधीन दण्डनीय अपराधों और उक्त अपराधों और उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संश्लेषण के अनुक्रम में किए

(1339)

गए किन्हीं अन्य अपराधों के संबंध में या उनसे संसक्त प्रयत्नों, दृष्टिकोणों और पद्धतियों के अन्वेषण के लिए जम्मू और कश्मीर शासन के गृह विभाग के 1991 के आदेश संख्या 171 डी द्वारा, दिनांक 6-2-1991 के तहत जम्मू-कश्मीर सरकार की सहमति से दिल्ली विशेष पुलिस स्थापन के नवस्थानों की शक्तियों और अधिकारिता का विस्तारण सम्पूर्ण जम्मू-कश्मीर राज्य पर करती है।

[संख्या 228/13/91-ए.वी.डी.-II]

ORDERS

New Delhi, the 6th March, 1991

S.O. 813.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government with the consent of the Government of Jammu and Kashmir vide Government of Jammu and Kashmir, Home Department Order No. 471-DR of 1991 dated 6-2-1991 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Jammu and Kashmir for the investigation of the offences punishable under sections 3 and 4 of the Terrorist and Disruptive Activities (Prevention) Act, 1987 (Act No. 28 of 1987), Section 25 of Indian Arms Act, 1959 (Act No. 54 of 1959) and sections 302, 364, 392 of Ranbir Penal Code and any attempts, abetments and conspiracy in relation to or in connection with the said offences or any other offences committed in the course of the same transaction or arising out of the same fact or facts in FIR No. 105/90 dated 26-10-90 registered with P. S. Nishat, Srinagar, Jammu and Kashmir.

[No. 228/13/91-AVD-II]

नई दिल्ली, 8 मार्च, 1991

का.प्र. 814.—केन्द्रीय सरकार, दिल्ली, विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कर्नाटक राज्य सरकार की सहमति से (देखिए गृह विभाग सं. एच.डी. 21 पी.सी.आर. 90 तारीख 17-12-90) दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार निम्नलिखित अपराधों के अन्वेषण के लिए सम्पूर्ण कर्नाटक राज्य पर करती है:—

क. आयुध अधिनियम, 1959 की धारा 25 और धारा 26 के अधीन दण्डनीय अपराध; और

ख. ऊपर वर्णित अपराधों के संबंध में या उनसे संसक्त प्रयत्न बुद्धि और षड्यंत्र तथा हथकड़ी रेल पुलिस, कर्नाटक द्वारा रजिस्ट्रीकृत मामला अपराध संख्या 2/90 की याचत उन्ही तथ्यों से उत्पन्न होने वाले वैसे भी संव्यहार के अनुक्रम में किया गया या किए गए कोई अन्य अपराध।

[संख्या 228/26/90-ए.वी.डी.-II]

ए.सी. शर्मा, अवसर सचिव

ORDER

New Delhi, the 8th March, 1991

S.O. 814.—In exercise of the powers conferred by sub-section (1) of Section 5 read with 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government with the consent of the State Government of Karnataka (vide Home Deptt. No. HD 21 PCR 90 dated 27-12-90) hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment

to the whole of the State of Karnataka for investigation of the following offences:—

- Offences punishable u/s 25 and 26 of the Arms Act, 1959; and
- Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned above and any other offence or offences committed in the course of the same transaction arising out of the same facts in regard to case crime No. 2/90 registered by Hubli Railway Police, Karnataka.

[No. 228/26/90-AVD-II]

A. C. SHARMA, Under Secy.

विज्ञापन

(राजस्व विभाग)

नई दिल्ली, 5 फरवरी, 1991

का.प्र. 815.—सर्वसाधारण की सूचनाएँ यह अधिबूझित किया जाता है कि नीचे उल्लिखित संस्था एसोसिएशन को तथा उसके नीचे दिए गए उसके कार्यक्रमों को संबंध, पर्यावरण तथा वन मंत्रालय, भारत सरकार, नई दिल्ली द्वारा, जो कि आयकर नियम, 1962 के नियम 6-क—कग के अधीन निर्धारित प्राधिकारी है, आयकर अधिनियम, 1961 की धारा 35-गगख के प्रयोजनार्थ अनुमोदित किया गया है।

संस्था एसोसिएशन का नाम

मैगसे वनराय, 2064, विजय नगर, पुणे-411030

कार्यक्रम

- जिला तथा प्रभावी स्तर पर समस्या-कार्यालयों की स्थापना करना।
- पर्यावरण जागरूकता अभियान।
- वधारोपण अभियान तथा नर्सरी।
- गैर-पारंपरिक ऊर्जा स्रोतों का प्रचार।
- प्रकाशन तथा प्रचार अभियान।
- आदर्श गांव।

निर्धारित प्राधिकारी द्वारा दिए गए दोनों ही अनुमोदन, नामतः

- धारा 35-गगख की उपधारा (2) के अधीन संस्था के लिए तथा
- धारा 15-गगख की उपधारा (1) के अधीन कार्यक्रमों के लिए निम्नलिखित शर्तों के अधीन रहते हुए, दिनांक 1-3-1990 से तीन वर्षों की अवधि के लिए वैध है:—

- मैगसे वनराय, 2064, विजय नगर, पुणे-411030 संरक्षण कार्यकलापों के प्रयोजनार्थ उसके द्वारा प्राप्त किए गए धन का एक पृथक लेखा रखेगा।
- उक्त सोसायटी प्रत्येक वर्ष के लिए संरक्षण कार्यक्रमों की प्रगति रिपोर्ट प्रत्येक वर्ष दिनांक 30 जून तक निर्धारित प्राधिकारी के पास प्रस्तुत करेगी।
- उक्त सोसायटी दिनांक 30 जून तक कुल आय तथा देनदारियों की दशानि धारण बापिक खातों को तथा संबंधित आयकर आयुक्त को भेजे गए इन प्रत्येक दस्तावेजों की एक-एक प्रति निर्धारित प्राधिकारी के समक्ष प्रस्तुत करेगा।

- (4) उक्त अनुमोदन निर्धारित प्राधिकारी की सतत-संतुष्टि के अधीन रहेगा तथा यदि आवश्यक समझा गया तो उसे भुगतकी प्रभाव से वापिस भी लिया जा सकेगा।

[सं. 8811/फा.सं. 203/4/91-आयकर (नि. II)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 5th February, 1991

S.O. 815.—It is notified for general information that the Institution/Association mentioned below and its programmes given hereunder, have been approved by the Secretary, Ministry of Environment and Forests, Government of India, New Delhi, being the Prescribed Authority under rule 6-AAC of the Income-tax Rules, 1962, for the purposes of Section 35-CCB of the Income Tax, Act, 1961.

Name of the Institution/Association

M/s. Vanarai, 2064, Vijaynagar, Pune-411030.

PROGRAMMES

- (i) Establishing Coordination offices at the District and Divisional Level.
- (ii) Environmental Awareness Campaigns.
- (iii) Tree Plantation Drive and Nurseries.
- (iv) Propagation of Non-conventional Energy Sources.
- (v) Publication and Publicity Campaigns.
- (vi) Ideal villages.

Both the approvals accorded by the Prescribed Authority namely (i) to the Institution under sub-section (2), of Section 35-CCB and (ii) to the programmes under sub-section (1) of Section 35-CCB are valid for a period of three years with effect from 1-4-1990, subject to the following conditions :

- (i) M/s. Vanarai, 2064, Vijaynagar, Pune, 411030, shall maintain a separate account of the donations received by it for conservation activities.
- (ii) The Society shall furnish progress report of the conservation programmes to the Prescribed Authority for every year by the 30th June, every year.
- (iii) The Society shall submit to the Prescribed Authority by the 30th June annual accounts showing total income and liabilities and a copy of each of these documents sent to the concerned Commissioner of Income Tax.
- (iv) The approval is subject to the continued satisfaction of the Prescribed Authority and may be withdrawn with retrospective effect, if considered necessary.

[No. 8811/F. No. 203/4/91-ITA.II]

नई दिल्ली, 21 फरवरी, 1991

आयकर

का.आ. 816.—आयकर अधिनियम, 1961, (1961 का 43) की धारा 47 के खंड (ix) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "इन्दिरा गांधी नेशनल सेंटर फॉर आर्ट्स", नई दिल्ली को उक्त उपखंड के प्रयोजनार्थ कर निर्धारण वर्ष 1991-92 से 1994-95 के लिए अधिसूचित करती है।

[सं. फा. सं. 207/12/90-आयकर (नि II)]

निशि नायर, अवर सचिव

New Delhi, the 21st February, 1991

S.O. 816.—In exercise of the powers conferred by clause (ix) of Section 47 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Indira Gandhi National Centre for Arts", New Delhi for the purpose of the said sub-clause for the assessment years 1991-92 to 1994-95.

[F. No. 207/12/90-ITA.II]

NISHI NAIR, Under Secy.

आदेश

नई दिल्ली, 27 फरवरी, 1991

स्टाम्प

का.आ. 817.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस शुल्क को माफ करती है जो भारतीय जहाजरानी ऋण तथा निवेश कंपनी द्वारा जारी केवल पैनेस करौड़ रु. के 11.5 प्रतिशत बंधपत्र (श्रृंखला VI) के प्रोमिसरी नोटों के रूप में वर्णित बंधपत्रों पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[सं. 11/91-स्टा. फा.सं. 33/85/90-वि.क.]

ठाकुर दत्त, उप सचिव

ORDER

New Delhi, the 27th February, 1991

STAMPS

S.O. 817.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes—11.5 per cent bonds (Series VI) of the value of rupees thirty five crores only to be issued by the Shipping Credit and Investment Company of India Limited are chargeable under the said Act.

[No. 11/91-Stamp F. No. 33/85/90-ST]

THAKUR DATT, Dy. Secy.

आदेश

नई दिल्ली, 7 मार्च, 1991

स्टाम्प

का.आ. 818.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा सै. बुश इंडिया लिमिटेड, बम्बई को मात्र सैंतीस हजार और पांच सौ रुपए के उस समेकित स्टाम्प शुल्क का भुगतान करने की अनुमति प्रदान करती है उक्त कम्पनी द्वारा जारी किए जाने वाले पचास लाख रुपए मात्र के अधिक मूल्य के ऋण-पत्रों के रूप में क्रम संख्या 1 से 5,000 के बंध पत्रों पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 12/91-स्टाम्प फा.सं. 33/75/90-वि.क.]

आरमा राम, अवर सचिव

ORDER

New Delhi, the 7th March, 1991

STAMPS

solidated stamp duty of rupees thirty seven thousand and five hundred only chargeable on account of the stamp duty on debentures bearing serial numbers 1 to 5,000 of the face value of rupees fifty lakhs only to be issued by the said Company.

S.O. 818.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Bush India Limited, Bombay to pay con-

[No. 12/91-Stamps F. No. 33/75/90-ST]

ATMA RAM, Under Secy.

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 18 फरवरी, 1991

(आयकर)

का.अ. 819—आयकर अधिनियम, 1961 (1961 का 47) की धारा 120 की उपधारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय प्रत्यक्ष कर बोर्ड इसके साथ संलग्न अनुसूची के कालम (3), (1), (5), (6), (7) तथा (8) में विनिर्दिष्ट आयकर प्राधिकारियों को उन व्यक्तियों के संबंध में क्रमशः आयकर अधिकारी, उप-आयकर आयुक्त, उप-आयकर आयुक्त, (अपील), आयकर आयुक्त (अपील), आयकर आयुक्त तथा मुख्य आयकर आयुक्त के संकायों को नियुक्ति करने तथा शक्तियों का प्रदान करने के लिए एकत्र द्वारा नियुक्त करता है, जिन्हें इसके कालम (2) में तदनुसूची प्रविष्टि में विनिर्दिष्ट किया गया है तथा जो आयकर अधिनियम में है एवं उक्त अधिनियम तथा उसके अंतर्गत बनाए गए नियमों के अधीन अन्य सभी कार्यवाहियों अथवा कार्य करते हैं।

यह अधिसूचना राजपत्र में इसके प्रकाशन की तारीख को तथा उस तारीख से प्रभावी होगी।

अनुसूची

क्रम संख्या	व्यक्ति	आयकर अधिकारी	उप आयकर आयुक्त	उप आयकर आयुक्त (अपील)	आयकर आयुक्त (अपील)	आयकर आयुक्त	मुख्य आयकर आयुक्त
1	2	3	4	5	6	7	8
1.	उन कर्मचारियों को छोड़कर, जिनका आय का कोई भाग किसी कारोबार अथवा व्यवसाय से उद्भूत होता है, रक्षा लेखा नियंत्रक (एससी.) पुणे के लेखा परीक्षा नियंत्रण के अंतर्गत सीमा सड़क संगठन, भूतल परिवहन मंत्रालय, भारत सरकार के सामान्य रिजर्व इंजिनियरी बल के कर्मचारी।	आयकर अधिकारी, उप आयकर जी.एच. व्हाई 4(4), पुणे।	उप आयकर आयुक्त, पुणे, रैंज-4, पुणे	उप आयकर आयुक्त (अपील) ठाणे।	आयकर आयुक्त (अपील) I, पुणे।	आयकर आयुक्त, पुणे।	मुख्य आयकर आयुक्त, पुणे।
2.	ऐसे व्यक्ति, जो सीमा सड़क संगठन, भूतल परिवहन मंत्रालय के सामान्य रिजर्व इंजिनियरी बल के कर्मचारी हैं तथा जो रक्षा लेखा नियंत्रक (एससी.) पुणे से पेंशन प्राप्त करते हैं (उन व्यक्तियों को छोड़कर, जिनका आय का कोई भाग कारोबार अथवा व्यवसाय से उद्भूत होता है)।						
3.	ऐसे व्यक्ति, जो सीमा सड़क संगठन, भूतल परिवहन मंत्रालय के सामान्य रिजर्व इंजिनियरी बल के कर्मचारियों की विधवाएं हैं अथवा उनके आश्रित तथा जो रक्षा लेखा नियंत्रक (एससी.) पुणे से भुगतान प्राप्त करते हैं।						

[संख्या 8819/का.ग 188/1/88-आयकर (नि. 1)]

अनंता पटेल, अवर सचिव,

(Central Board of Direct Taxes)

New Delhi the 18th February, 1991

(INCOME-TAX)

S.O. 819.—In exercise of the powers conferred by sub-section (6) of section 120 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes, hereby appoints the Income-tax authorities specified in columns (3), (4), (5), (6), (7) and (8) of the Schedule annexed hereto, to perform the functions and exercise the powers of the Income-tax

Officer the Deputy Commissioner of Income-tax, the Deputy Commissioner of Income-tax (Appeals), the Commissioner of Income-tax and the Chief Commissioner of Income-tax, respectively, in respect of the persons, specified in the corresponding entry in columns (2) thereof, furnishing the return of income and doing all other acts or things under the said Act and the rules made thereunder.

This notification shall take effect on and from the date of its publication in the Official Gazette.

SCHEDULE

Sl. No.	Persons	Income-tax Officer	Deputy Commissioner of Income-tax
1	2	3	4
1.	Employees of the General Reserve Engineering Force of the Border Road Organisation, Ministry of Surface Transport, Government of India under the audit control of the Controller of Defence Accounts (SC), Pune, excluding employees, any part of whose income is derived from a business or profession.	Income-tax Officer, GHQ Ward 4(4) Pune.	Deputy Commissioner of Income-tax, Pune Range-4, Pune.
2.	Persons who are employees of General Reserve Engineering Force of the Border Road Organisation, Ministry of Surface Transport and who are receiving pension from Controller of Defence Accounts (SC), Pune; (excluding persons, any part of whose income is derived from business or profession).		
3.	Persons being the widows or dependents of employees of General Reserve Engineering Force of the Border Road Organisation, Ministry of Surface Transport, who are in the payment of the Controller of Defence Accounts (SC), Pune.		
5	6	7	8
Deputy Commissioner of Income-tax (Appeals)	Commissioner of Income-tax (Appeals)	Commissioner of Income-tax	Chief Commissioner of Income-tax
Deputy Commissioner of Income-tax (Appeals), Thane.	Commissioner of Income-tax (Appeals) I, Pune.	Commissioner of Income-tax Pune.	Chief Commissioner of Income-tax, Pune.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 5 मार्च, 1991

का.प्र. 820.—केन्द्रीय सरकार, भारतीय औद्योगिक पुनर्निर्माण बैंक अधिनियम, 1981 (1984 का 62) की धारा 2 के खंड (अ) के उपखंड (2) की मध्य (ii) द्वारा प्रवृत्त गतिविधियों का प्रयोग करते हुए ऐसे समुत्थानों को जो :—

- (1) उद्यम पूंजी, जोखिम पूंजी, लेनदारी-लेखा-कार्य और निष्काटे पर, भुगतान के रूप में वित्तीय सहायता प्रदान करते हैं;
- (2) मजूका के विकास, रख-रखाव और निर्माण कार्य करने,
- (3) किसी औद्योगिक क्षेत्र अथवा किसी औद्योगिक संपदा स्थापित करने या विकसित करने;
- (4) उद्योग के लिए इंजीनियरी, तकनीकी, वित्तिय, प्रबंधन, विपणन या अन्य सेवाएं या सुविधाएं प्रदान करने;
- (4) शिक्षा, स्वास्थ्य या अन्य सहवृद्ध सेवाएं प्रदान करने,
- (6) सूचना, औद्योगिकी, दूर संचार अथवा इलेक्ट्रानिकी से सहवृद्ध सेवाएं प्रदान करने;
- (7) औद्योगिक प्लांटों, उपकरणों, मशीनों या अन्य परिसंपत्तियों जिसमें वाहन, जलयान और वायुयान हैं को पट्टे, उप-पट्टे या किराये अथवा किराया खरीद पर देने—
- (8) किसी वस्तु अथवा पदार्थ को उसके प्रयोग, विक्रय, परिवहन, परिवर्तन या निपटान करने के विचार से उसका या रूप परिवर्तन करने, भ्रंशकृत करने, पौलिश करने, सैयार करने, चिकनाते (आयसिंग), धोने, सफाई करने या अन्यथा ससाधित या रूपांतरित करने के कार्य में लगे अथवा कार्य करने वाले समुत्थानों को उक्त खंड के प्रयोजनों के लिए एक "औद्योगिक समुत्थान" के रूप में चिह्नित करती है।

[फा.सं. 1-3/90-आई एफ-II]

एच.एस. कुमार, निदेशक (आई एफ)

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 5th March, 1991

S.O. 820.—In exercise of the powers conferred by item (ii) of sub-clause (2) of clause (i) of section 2 of the Industrial Reconstruction Bank of India Act, 1984 (62 of 1984), the Central Government hereby specifies a concern engaged, or to be engaged, in—

- (1) rendering financial assistance by way of venture capital risk capital, factoring and discounting;
- (2) development, maintenance and construction of roads;
- (3) Setting upon of or development of an industrial area or an industrial estate;
- (4) providing engineering, technical, financial management, marketing or other services or facilities for industry;
- (5) providing medical, health or other allied services;
- (6) providing services relating to information, technology, telecommunication or electronics;

(7) leasing, sub-leasing, or giving on hire or hire-purchase of industrial plants, equipments, machinery or other assets including vehicles, ships and aircrafts;

(8) altering, ornamenting, polishing, finishing, oiling, washing, cleaning or otherwise treating or adapting any article or substance with a view to its use, sale, transport, delivery or disposal,

as an "industrial concern" for the purposes of the said clause.

[F. No. 1-3/90-Inf. II]

H. S. KUMAR, Director (IF)

बाणिज्य मंत्रालय

नई दिल्ली, 8 मार्च, 1991

का.प्र. 821.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मेमर्स जे. बी. बोदा सर्वेयर्स प्रा. लि., "अरिथान्त कृपा", पंडित नेहरू मार्ग, जामनगर-361 002 को इससे उपाबद्ध अनुसूची में चिह्नित खनिज तथा अयस्क का निर्यात में पूर्व निरीक्षण के लिए हम अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए इन शर्तों के अधीन अभिकरण के रूप में मान्यता देती है कि उक्त अभिकरण खनिज तथा अयस्क के ग्रुप-I व ग्रुप-II नियम (निर्यात) नियम, 1965 के नियम 4 के उप नियम (4) के अन्तर्गत निरीक्षण प्रमाण-पत्र देने के लिए उक्त अभिकरण द्वारा अपनाई गई पद्धति की जांच करने के संबंध में निर्यात निरीक्षण परिषद द्वारा मनोनीत किसी भी अधिकारी को पर्याप्त सुविधाएं देगा।

अनुसूची

1. निस्तप्त बोक्साइट सहित बोक्साइट,
2. मैंगनीज डायक्साइड,
3. परिदग्ध और निस्तप्त का मैंगनेसाइट सहित मैंगनेसाइट
4. बेंटाइट्स,
5. लाल आक्साइड
6. पीला गरिक।

[फा. सं. 5(15)/88-ई आई एण्ड ई.पी.]

MINISTRY OF COMMERCE

New Delhi, the 8th March, 1991

S.O. 821.—In exercise of the powers conferred by sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of three years from the date of publication of this Notification M/s. J. B. Boda, Surveyors Pvt. Ltd. 'Arithant Kripa' Pandit Nehru Marg, Jamnagar-361002 as an agency for the inspection of Minerals and Ores specified in schedule annexed hereto prior to export subject to the condition that the said agency shall give adequate facilities to any officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by the said agency in granting the certification of inspection under sub-rule (4) of rule 4 of the Export of Minerals and Ores Group-I and Group-II (Inspection) Rules, 1965.

SCHEDULE

1. Bauxite, including calcined bauxite.
2. Manganese Dioxide.

3. Magnesite, including dead burnt and calcined magnesite.
4. Barytes.
5. Red Oxide.
6. Yellow Ochre.

[F. No. 5(15)/88-EI & EP]

का. आ. 822.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स दिल्ली टेस्ट हाउस, सोहना इंडस्ट्रीयल स्टेट, जी. टी. कर्नाल रोड, दिल्ली-110033 को कपड़े धोने के मायुन का दिल्ली में निर्यात से पूर्व निरीक्षण करने के लिए इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए इन शर्तों के अधीन अभिकरण के रूप में मान्यता देती है कि उक्त अभिकरण कपड़े धोने के मायुन का निर्यात (निरीक्षण) नियम, 1966 के नियम 4 के उपनियम 4 के अन्तर्गत निर्यात निरीक्षण परिषद के किसी भी अधिकारी को प्रमाण-पत्र जारी करने के लिए अधिकरण द्वारा अपनाई गई निरीक्षण प्रणाली की जांच करने के लिए पर्याप्त सुविधाएं देगा।

[फाइल सं. 5(12)/88—ई आई एण्ड ई पी]

S.O. 822.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act 1963 (22 of 1963), the Central Government hereby recognises for a period of three years with effect from the date of publication of this notification, M/s Delhi Test House, Sohana Industrial Estate, G.T. Karnal Road, Delhi-110033 as an agency for inspection of Inorganic Chemicals specified in Schedule annexed to the notification of the Government of India, Ministry of Commerce No. S.O. 1270 dated the 25th March, 1966 prior to their export at Delhi subject to the condition that the said agency shall give adequate facilities to any officer nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by the said agency in granting the certificate of inspection under sub-rule (4) of rule 4 of the Export of Inorganic Chemicals (Inspection) Rules, 1966.

[File No. 5/12/88-EI & EP]

का. आ. 825.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स दिल्ली टेस्ट हाउस, सोहना इंडस्ट्रीयल स्टेट, जी. टी. कर्नाल रोड, दिल्ली-110033 को भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 1270 तारीख 25 मार्च, 1966 के उपबंध की अनुसूची में विनिर्दिष्ट अकार्बनिक रसायनों का दिल्ली में उनके निर्यात से पूर्व निरीक्षण करने के लिए इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए इन शर्तों के अधीन अभिकरण के रूप में मान्यता देती है कि उक्त अभिकरण अकार्बनिक रसायनों के निर्यात (निरीक्षण) नियम, 1966 के नियम 4 के उप नियम (4) के अन्तर्गत निरीक्षण प्रमाण-पत्र देने के लिए निर्यात निरीक्षण परिषद के किसी भी अधिकारी को अभिकरण द्वारा अपनाई गई निरीक्षण की पद्धति की जांच करने के लिए सभी सुविधाएं देगा।

[फाइल सं. 5 (12)/88—ई आई एण्ड ई पी]

S.O. 823.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of three years with effect from the date of publication of this notification M/s. Delhi Test House, Sohana Industrial Estate, G.T. Karnal Road, Delhi-110033 as an agency for inspection of Laundry Soap prior to export at Delhi subject to the condition that the said agency shall give adequate facilities to any officer nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by the said agency in granting the certificate of inspection under sub rule (4) of rule 4 of Export of Laundry Soap (Inspection) Rules, 1966.

[File No. 5/12/88-EI & EP]

का. आ. 824.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स दिल्ली टेस्ट हाउस, सोहना इंडस्ट्रीयल स्टेट, जी. टी. कर्नाल रोड, दिल्ली-110033 को यहाँ उससे उपाबंध अनुसूची में विनिर्दिष्ट कार्बनिक रसायनों का दिल्ली में निर्यात से पूर्व निरीक्षण करने के लिए इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए इन शर्तों के अधीन अभिकरण के रूप में मान्यता देती है कि उक्त अभिकरण कार्बनिक रसायनों के निर्यात (निरीक्षण) नियम, 1966 के नियम 4 के उप नियम (4) के अन्तर्गत निर्यात निरीक्षण परिषद के किसी भी अधिकारी को निरीक्षण प्रमाण-पत्र जारी करने के लिए अभिकरण द्वारा अपनाई गई निरीक्षण प्रणाली की जांच करने के लिए पर्याप्त सुविधाएं देगा।

अनुसूची

1. एमिटिक ऐमिड,
2. हाईड्रोक्सीन,
3. ओक्जेलिक ऐमिड,
4. नेपथीलीन,
5. बेनजीन,
6. एम्बोमीन,
7. टोल्डन,
8. एथिल एल्कोहल
9. जार्डिन,
10. सोडियम साईट्रेट

[फाइल सं. 5(12)/88—ई आई एण्ड ई पी]

ऐ. के. चौधुरी, निदेशक

S.O. 824.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act 1963 (22 of 1963), the Central Government hereby recognises for a period of three year with effect from the date of publication of this notification, M/s. Delhi Test House, Sohana Industrial Estate, G.T. Karnal Road, Delhi-110033 as an agency for inspection of Organic Chemicals specified in Schedule annexed hereto prior to export at Delhi subject to the condition that the said agency shall give adequate facilities to any officer nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by the said agency in granting the certificate of inspection under sub-rule (4) of rule 4 of the Export of Organic Chemicals (Inspection) Rules, 1966.

SCHEDULE

1. Acetic Acid.

2. Hydroquinene.

3. Oxalic Acid.

4. Napthalene.

5. Benzene.

6. Anthracene

7. Toluene.

8. Ethyl Alcohol.

9. Xylene.

10. Sodium Citrate.

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 27th February, 1991

S.O. 825.—M/s. Shriram Fertilizers and Chemicals, Shriram Nagar, Kota-324004 (Raj.), were granted an import licence No. P/CG/2126755/C/XX/17/H/90/CG.II dated 11-10-90, for Rs. 1,34,93,169 (Rs. one crore thirty four lakhs, ninety three thousand, one hundred and sixty nine only) for import of Capital of Goods for replacement of Ammonia Converter Basket in their American Plant, under Foreign Currency Lines of Credit, available with Financial Institutions, such as IFCI/IDBI/ICICI. The firm has applied for issue of Duplicate Licence Custom Purposes Copy for full value of rupees 1,34,93,169 and Exchange Control Copy for Rs. 1,14,54,244 (Rupees one crore, fourteen lakhs, fifty four thousand, two hundred and forty four only), stating that the amount of Rs. 20,38,925 i.e. (15 per cent of total c.i.f. advance payment has already been remitted to their foreign supplier M/s. Haldor Topsoe, Denmark on the plea that the original licence (CCP and EC Copy) have been lost/misplaced. It has further been stated that the above noted licence has not been registered with any Customs Authority.

[File No. 5/12/88-EI & EP]

A. K. CHAUDHURI, Director

मुख्य निर्यातक आयात नियति का कार्यालय

आदेश

नई दिल्ली, 27 फरवरी, 1991

का. आ. 825.—मैसर्स श्रीराम फर्टिलाइजर्स एण्ड केमिकल्स, श्रीराम नगर, कोटा-324004 (राजस्थान), को भारतीय औद्योगिक वित्त निगम, भारतीय औद्योगिक विकास बैंक भारतीय औद्योगिक ऋण तथा निवेश निगम जैसे वित्त संस्थानों के पास उपलब्ध निवेशी मुद्रा ऋण प्रणाली के तहत, उनके अमोनिया संयंत्र में अमोनिया कन्वर्टर बास्केट की बदलने के लिए पूंजीगत माल के आयात के लिए 1,34,93,169-रु. (एक करोड़ चौसीस लाख तिराहसह हजार, एक सौ उनतर रुपय मात्र) का आयात लाइसेंस सं. पी सी जी/2126755/मो/एक्स-एक्स/17/एच/90 सी जी-3 दिनांक 11-10-90 दिया गया था। फर्म ने 1,34,93,169-रुपय के पूर्ण मूल्य के लिए लाइसेंस की सीमाशुल्क प्रयोजन प्रति के लिए और 1,14,54,244-रुपय (एक करोड़ चौबह लाख, चौवन हजार, दो सौ चयालीस रुपय मात्र) के लिए मुद्रा विनिमय नियंत्रण प्रति की अनु-लिपि प्रति जारी करने का अनुरोध किया है जिसमें उन्होंने यह कहा है कि 20,38,925 - रुपय की राशि की अर्थात् (कुल लाभत-बीमा-भाड़ा मूल्य का 15%) उनके विदेशी मालाईकर्ता मैसर्स हाल्डर टॉपसी, डेनमार्क को इस आधार पर पहले की अंतिम भुगतान कर दिया गया है कि मूल लाइसेंस (पी सी जी और ई सी प्रति) खो गया/गुम हो गया है। आगे यह भी कहा गया है कि उपर्युक्त लाइसेंस किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं किया हुआ है।

2. अपने दावे के समर्थन में, लाइसेंसधारी ने नोटरी पब्लिक के समक्ष विधिवत शपथ लेकर रसीदी कामज पर गणपथपत्र-दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि मूल लाइसेंस (सीमाशुल्क प्रयोजन प्रति और विनिमय नियंत्रण प्रति) सं. पी सी जी/2126755/मो/एक्स-एक्स/17/एच/90/सी जी-3 दिनांक 11-10-90 पार्टी से खो गया है/गुम हो गया है। यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उद्धार (9) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स श्रीराम फर्टिलाइजर्स एण्ड केमिकल्स, श्रीराम नगर, कोटा-324004 (राजस्थान) को जारी किए गए लाइसेंस सं. पी/सी जी 21267/55 सी/एक्स-एक्स/17/एच/90/सी जी-3 (सीमाशुल्क और विनिमय नियंत्रण प्रति दोनों) दिनांक 11-10-90 एनडब्ल्यू द्वारा रद्द किया जाता है।

3. लाइसेंस की अनुलिपि पार्टी को अग्रिम में जारी की जा रही है।

[फा. सं. सी जी-3/437/(18)/90-91]

एस. के. भारद्वाज, उप मुख्य निर्यातक आयात-निर्यात
हुले मुख्य निर्यातक, आयात-निर्यात।

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public. I am accordingly satisfied that the original Licence (Customs Purpose Copy and Exchange Control Copy) No. P/CG/2126755/C/XX/17/H/90/CG.II dated 11-10-90, has been lost/misplaced by the firm. In exercise of the powers conferred under Sub-clause 3(d) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the licence No. P/CG/2126755/C/XX/17/H/90/CG.II (both Customs and Exchange Control Copy) dated 11-10-90 issued to M/s. Shriram Fertilizers and Chemicals, Shriram Nagar, Kota-324004 (Raj.) is hereby cancelled.

3. A duplicate copy of the licence are being issued to the party separately.

[F. No. CG. III/437/(18)/90-91]

S. K. BHARDWAJ, Dy. Chief Controller
of Imports & Exports.
for Chief Controller of Imports & Exports

आदेश

नई दिल्ली, 6 मार्च, 1991

का. आ. 826.—मैसर्स मितवुखशी हैवी इंस्ट्रुमेंट्स लि., ए-1 6, सफवरजंग एनक्लेव, नई दिल्ली-110029 को जोच उपस्कर के आयात के लिए 2,31,210 (जो बाई 21,41,000) (दो लाख इक्कीस हजार दो सौ दस रुपय मात्र) के लागत बीमा भाड़ा मूल्य के लिए दिनांक 12-10-1988 को क सीमाशुल्क निकासी परमिट सं. पी/जे/307774 आईएम जी/10 एच 88एम एल एम मंजूर किया गया था। पार्टी ने मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी परमिट की प्रति खो गई/गुम हो गई है। उन्होंने आगे, यह भी कहा है कि मूल सीमाशुल्क परमिट कोडला सीमाशुल्क हाउस में पंजीकृत था और इसे पूरी तरह उपयोग किया गया था।

2 अपने दावे के समर्थन में लाइसेंसधारी ने उपयुक्त न्यायिक प्राधिकारी के समक्ष विधिवत रूप से शपथ लेकर एक गणपथपत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि मूल सीमाशुल्क निकासी परमिट सं. पी/जे/307774 दिनांक 12-10-88 आवेदक से खो गई है। समय-समय पर यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-56 की उप धारा 9(1)(घ) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स मितवुखशी हैवी इंस्ट्रुमेंट्स लि., नई दिल्ली को जारी किया गया सीमाशुल्क निकासी परमिट एनडब्ल्यू द्वारा रद्द किया जाता है।

3. यहाँ को सीमाशुल्क निकासी परमिट की एक अनुलिपि प्रति पराम से जारी की जा रही है।

[फा स. 7/24/88-89/एम/एल एस 367]

माया डी केम, उप मुख्य नियंत्रक आयात-निर्यात
उत्ते मुख्य नियंत्रक आयात-निर्यात।

ORDER

New Delhi, the 6th March, 1991

SO 826—M/s. Mitsubishi Heavy Industries Ltd, A-1/6, Safdarjang Enclave, New Delhi-110029 was granted a Customs Clearance Permit No P/J/3077746/IJMG/10H/88/MLS dated 12-10-1988 for a net value of Rs. 2,31,210 (JY. 21,41,000) (Rs. Two lakhs thirty one thousand two hundred and ten only) for the import of Testing Equipment. The applicant has applied for issue of Duplicate Custom Clearance Permit on the ground that the original CCP has

been misplaced/lost. It is further stated that the original CCP was registered with Kandla Customs House and utilised fully.

2 In support of their contention, the licensee have filed an affidavit duly sworn in before appropriate judicial authority. I am accordingly satisfied that the original Customs Clearance Permit No. P/J/30 7746 dated 12-10-88 has been lost by the applicant. In exercise of the powers conferred under Sub-clause 9(1)(d) of Import (Control) Order, 1955 dated 7-12-56 as amended from time to time, the said Customs Clearance Permit issued to M/s. Mitsubishi Heavy Industries Ltd, New Delhi is hereby cancelled.

3 A duplicate copy of CCP is being issued to the party shortly.

[F. No 7/24/88-89/MLS/367]

MAYA D KFM Dy Chief Controller of
Imports & Exports
for Chief Controller of Imports & Exports

साद्य और नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)

नगरिय मानव ब्यूरो

नई दिल्ली, 6 मार्च, 1991

का आ 827—भारतीय मानव ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) की खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एनक्लव अधिसूचित करना है कि त्रिभुजित भारतीय मानक/मानकों का/के विवरण नीचे अनुसूची में दिया गया है/दिए गए हैं/वह/वें दिनांक को स्थापित हो गया है/हो गए हैं।

अनुसूची

क्रम सं	स्थापित भारतीय मानक (को) की मर्याद वर्ष और शीर्षक	तत्प भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानको, यदि कोई हो, की सं और वर्ष	टिपणी यदि कोई हो
(1)	(2)	(3)	(4)
1	आईएस 101 (भाग 1/खंड 5)--1989 रोगन, वनिश और सबद्ध उत्पादों के नमूने लेने और परीक्षण की विधियां भाग 1 द्रव रोगन के परीक्षण (सामान्य और भौतिक) खंड 5 सततता (नमूना पुनरीक्षण)	आईएस : 101--1964	1990-09-30
2	आईएस 228 (भाग 7)--1990 इस्पात के रासायनिक विश्लेषण की विधियां भाग 7 मिश्रधातु इस्पात में एल्फा बैजोइन अक्विमम द्वारा मॉनीटरिंग (1% विलियन, टंगस्टन, गहिन, के लिए) (नमूना पुनरीक्षण)	आईएस 28 (भाग 7)--1974	-वही-
3	आईएस 228 (भाग 11)--1990 इस्पात के रासायनिक विश्लेषण की विधियां भाग 11 कार्बन डरात और अन्य मिश्रधातु इस्पात में अक्विमम मॉलिब्डो-निनीट ग्रेकोफोसेमिटिक विधि द्वारा कुल मिलिकोन तथा निर्वाण (0.11 से 0.95 प्रतिशत तब मिलिकोन के लिए) (नमूना पुनरीक्षण)	आईएस 228 (भाग 11)--1976	1990-09-30
4	आईएस 1112 (भाग 1)--1989 सामान्य प्रकार सेवा बन्ध के लिए पाच के लट्टू-विनिष्टि (भाग 1 60 से 80 मि मी तब व्यास के लट्टू) (इसका पुनरीक्षण)	आईएस 1112--1963	-वही-
5	आईएस 1112 (भाग 2)--1989 सामान्य प्रकार सेवा बन्ध के लिए पाच के लट्टू-विनिष्टि भाग 2 31 से 1.0 मिमी तक व्यास के लट्टू (इसका पुनरीक्षण)	आईएस 1112-1964	-वही-

(1)	(2)	(3)	(4)
6. आईएस : 1448 (भाग 11)--1990 पैट्रोसियम और उसके उत्पादों की परीक्षण विधियाँ (भाग 11) उच्चतम प्रयोजनों हेतु सेलों का हिमोक (तीसरी पुनरीक्षण)	आईएस : 1448 (भाग 16)--1971	1990-09-30	
7. आईएस : 1448 (भाग 16)--1990 पैट्रोसियम और उसके उत्पादों की परीक्षण विधियाँ (भाग 16) कच्चे पैट्रोसियम और द्रव पैट्रोसियम उत्पादों का द्रव बलवामापी द्वारा बलत्व, अपेक्षित बलत्व या एपी आई गुणत्व (तीसरी पुनरीक्षण)	आईएस : 1448 (भाग 16)-1977	-वही-	
8. आईएस : 1493 (भाग 8)--1990 सोडु अथस्क का रासायनिक विश्लेषण भाग 8 सोडियम और/या पोटेशियम अंश का निर्धारण ज्वाला धन, अक्षरोपण स्पेक्ट्रो-मोट्रिक विधि	आईएस : 1493-1959	1990-08-3	
9. आईएस : 2308-1989 स्टाटिंग मशीन के लिए परीक्षण चार्ट (पहला पुनरीक्षण)	आईएस : 2308--1963	1990-09-30	
10. आईएस : 2582-(भाग 2)--1987 मशीन बीजार-स्पिन्डल मोड और फलक ब्लेट-प्रकारपरिवर्तनीयता के लिए साक्ष्य भाग 2 कैमलोक टाइप (दूसरा पुनरीक्षण)	आईएस : 2582 (भाग 2)--1972	-वही-	
11. आईएस : 2582 (भाग 3)--1987 मशीन बीजार-स्पिन्डल मोड और फलक ब्लेट-प्रकारपरिवर्तनीयता के लिए साक्ष्य भाग 3 बायोनेट साक्ष्य (दूसरा पुनरीक्षण)	आईएस : 2582 (भाग 3) 1977	-वही-	
12. आईएस : 3058--1990 औद्योगिक इमारतों में धाग के सुरक्षा हेतु रीति संहिता : बिस्कोस धागा और/या स्टेपल धागा संयंत्र (पहला पुनरीक्षण)	आईएस : 3058-1965	वही	
13. आईएस : 3741 (भाग 2)--1990 कांच के चिकित्सा उपकरण-सलछट मलिकाएं-विशिष्ट-डिस्ट्राब ट्यूब (दूसरा पुनरीक्षण)	आईएस : 3741-1980	-वही-	
14. आईएस : 3825-1990 पटसन की बुनाई के लिए इमसैट बल्बर हिल्ल-विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 3825-1974	-वही-	
15. आईएस : 4241-1990 इंजीनियरिंग माप विज्ञान-इंजीनियर्स पेरिलस-विशिष्ट (पहला पुनरीक्षण)	आईएस : 4241-1967	-वही-	
16. आईएस : 5084-1990 गारलान के सौजे-विशिष्ट (पहला पुनरीक्षण)	आईएस : 5084-1969	-वही-	
17. आईएस : 5232-1990 नेत्र को शल्य क्रिया के यंत्र-बिस्को, नेत्र, सिमिया, बोयर्स पैटन (रूपान्तरित)-विशिष्ट (दूसरा पुनरीक्षण)	आईएस : 5232-1980	-वही-	
18. आईएस : 5553 (भाग 3)--1990 रिफ़्टर-विशिष्ट भाग 3 धातु सीमाकारी रिफ़्टर और ग्युटल भूतमर्कन रिफ़्टर (पहला पुनरीक्षण)	आईएस : 5553 (भाग 3)--1970	वही	
19. आईएस : 5553 (भाग 4)--1989 रिफ़्टर-विशिष्ट भाग 4 अभिग रिफ़्टर (पहला पुनरीक्षण)	आईएस : 5553-1970	-वही-	
20. आईएस : 5553 (भाग 7)--1990 रिफ़्टर-विशिष्ट भाग 7 आर्क अक्षमदन रिफ़्टर (पहला पुनरीक्षण)	आईएस : 5553-1970	-वही-	
21. आईएस : 6076-1990 निवात तकनीक-कनेज आयाय (पहला पुनरीक्षण)	आईएस : 6076-1971	-वही-	
22. आईएस : 6219-1989 माण के यू ट्रांजिस्ट के लिए सामान्य प्रयोजी कर्नट हेतु परीक्षण विधि (दूसरा पुनरीक्षण)	आईएस : 6219-1977	-वही-	

1	2	3	4
23. आईएस : 6952-1990 इंजीनियरी माप विज्ञान-वेलनकार गुनिया-विशिष्टि (पहला पुनरीक्षण)	आईएस : 6952-1973	1990-08-30	
24. आईएस : 7178-1990 टैंकिंग पेंच तकनीकी आपूर्ति व्यवस्थाएं (दूसरा पुनरीक्षण)	आईएस - 7178-1982	-वही-	
25. आईएस : 7703 (भाग 1)-1990 कृत्रिम रेसो की परीक्षण विधि, सतत संतु जपटा धारा भाग 1 रैखिक घनत्व (पहला पुनरीक्षण)	आईएस : 7703 (भाग 1)---1975	1990-08-31	
26. आईएस : 7703 (भाग 2)-1990 कृत्रिम रेसो की परीक्षण विधि, सतत संतु जपटा धारा भाग 2 शुष्क और गीली तटस्थता और दीर्घीकरण, (पहला पुनरीक्षण)	आईएस : 7703 (भाग 2)---1975	1990-08-30	
27. आईएस : 8465-1990 गन्ना बाह्य ऊर्जा-विशिष्टि (पहला पुनरीक्षण)	आईएस : 8465-1977	-वही-	
28. आईएस : 12327 (भाग 3)-1989 फिटिंग पर क्वालिटी मापूलेक्षण रिफाइन का प्रयोग करने हुए 130 मिमी दो पाश्चात्य उच्च घनत्व नरुप चकती काटिंग पर आकाश अन्तर परिवर्तन की विशिष्टि		-वही-	
29. आईएस : 12746-(भाग 2)-1989 दूर नियंत्रण उपकरण और संज्ञ भाग 2 परिवर्तनीय व्यवस्थाएं और पावर आपूर्ति		-वही-	
30. आईएस : 12754 (भाग 2)-1989 प्रक्रम मापन नियंत्रण प्रकार्य और माप यंत्रण प्रयोक्तात्मक प्रस्तुति भाग 2 आधारभूत व्यवस्थाओं का प्रसार	---	वही-	
31. आईएस : 12795-1989 रैखिक एल्फिन बैंगीन-विशिष्टि	---	-वही-	
32. आईएस : 12813-1989 शल्य क्रिया के यंत्र-शय परीक्षण बाकू-विशिष्टि	---	-वही-	
33. आईएस : 12824-1989 बिजली की धूर्ण मशीनों के लिए विशिष्ट रेटिंग वर्ग और कार्य प्रकार	---	1990-08-30	
34. आईएस : 12826 (भाग 2)---1990 औद्योगिक भट्टियों के आदेश देने, परीक्षण और स्वीकृति देने-रीति संहिता भाग 2 औद्योगिक भट्टियों की आपूर्ति हेतु आपूर्तिकर्ता आकाश प्रपत्र	---	1990-08-30	
35. आईएस : 12834-1989 सौर प्रकाश कोल्टीय ऊर्जा संज्ञ-पारिभाषिक शब्दावली	---	1990-08-30	
36. आईएस : 12869-(भाग 1)-1989 कांच की घनता और घनतामितोय बिन्दु ज्ञान ज्ञान करने की विधि भाग 1 तथा दीर्घीकरण विधि द्वारा घनता ज्ञान करना	---	1990-08-30	
37. आईएस : 12880-1989 क्लाइमेट में बोर्जुन विहित सामग्री के नियंत्रण के मार्गदर्शी सिद्धांत	---	-वही-	
38. आईएस : 12886-1990 जूट कटाई फेसो के लिए हार्ट फैम-विशिष्टि	---	-वही-	
39. आईएस : 12890-1990 जूट कटाई फेसों के लिए बोबिन रेल-विशिष्टि	---	-वही-	
40. आईएस : 12891-1990 कोयला, कोक और लिग्नाइट की भस्म की गलनीयता के निर्धारण की विधि	---	-वही-	
41. आईएस : 12905-1990 व्यावसायिक बाह्य-पावर टेक ग्राफ (पी टी ओ का) और एंजिलरी जालित युक्तियों का मध्यवर्ती कालिंग	---	-वही-	
42. आईएस : 12909-1990 पावर केबल-1100 बो से 11000 बो तक बोस्टता के लिए रेजिन आधारित संचकित सांघों हेतु आयाम	---	-वही-	
43. आईएस : 12911-1990 कान, तार, जला हेतु शल्य क्रिया के यंत्र-संज्ञ हेतु अंजाकर आंच वाली बिमटी-विशिष्टि	---	1990-08-31	
44. आईएस : 127916-1990 एसोवेट एमपी-विशिष्टि	---	1990-08-30	
45. आईएस : 12918-1990 ग्रामो के लिए पेय जल आपूर्ति हेतु पानी से मोहा निकलने की मार्ग शिक्षा (रासायनिक उपचार विधि)	---	-वही-	
46. आईएस : 12924-1990 बूरा-विशिष्टि	---	-वही-	
47. आईएस : 12925-1990 फोटोग्राफी के लिए कैरिक अमोनियम ई बी टी ए विलयन की विशिष्टि			

1	2	3	4
48. आईएस : 12929-1990 भरण सामग्री (लोह आक्साइड और प्राकृतिक गैस) —			1990-09-30
—गैस आधारित उपकरण प्रक्रमों के लिए—मार्गदर्शी सिद्धांत			
49. आईएस : 12951-1990 उच्च ताप प्रयोग के लिए प्रत्येक की ऊष्मा रोधन रेटे विनिर्दिष्ट			-यहाँ-
50. आईएस : 12956 टी-1990 सीलबंद बेलनाकार किस्म पुनः चार्ज होने वाला निकेल कैडमियम तेल-विनिर्दिष्ट			-यहाँ-

इन मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन 9 बहादुरशाह जकर मार्ग, नई दिल्ली और क्षेत्रीय कार्यालयों यम्बई, बलसारा, चंडीगढ़ और मद्रास तथा शाखा कार्यालय अहमदाबाद, बंगलूर, कोयंबटूर, भुवनेश्वर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना और त्रिचेन्द्रम में विर्ता हेतु उपलब्ध है।

[सं. के. प्र. 13 : 2]

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)

BUREAU OF INDIAN STANDARDS

New Delhi, the 6th March, 1991

S.O.827....:—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, The Bureau of Indian Standards hereby notifies that the Indian Standard(s) particulars of which is/are given in the Schedule hereto annexed, has/have been established on the date indicated against each :

THE SCHEDULE

Sl. No.	Year and Title of the Indian Standard(s) Established	No. and year of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS : 101 (Part 1/Sec 5)—1989 Methods of sampling and test for paints, varnishes and related products Part 1 Tests on liquid paints (General and Physical) Section 5 Consistency (Third Revision)	IS : 101—1964	1990-09-30
2.	IS : 228 (Part 7)—1990 Methods for chemical analysis of steels Part 7 Determination of molybdenum by phalabenzoinoxime method in alloy steels (for molybdenum—1 percent and not containing tungsten) (Third Revision)	IS : 228 (Part 7)—1974	-do-
3.	IS : 228 (Part 11)—1990 Methods for chemical analysis of steels Part 11 Determination of total silicon by reduced molybdosilicate spectrophotometric method in carbon steels and low alloy steels (for silicon 0.01 to 0.05 percent) (Third Revision)	IS : 228 (Part 11)—1976	-do-

(1)	(2)	(3)	(4)
4.	IS: 1112 (Part 1)—1989 Glass shells for general lighting service lamps—Specification (Part 1 60 to 80 mm Shell Diameter (Second Revision)	IS : 1112—1963	1990-09-30
5.	IS : 1112 (Part 2)—1989 Glass shells for general lighting service lamps—Specification Part 2 81 to 130 mm Shell diameter (Second Revision)	IS : 1112—1963	-do-
6.	IS : 1448 (Part 11)—1990 Methods of test for petroleum and its products (P : 11) Freezing point of aviation fuels (Third Revision)	IS : 1148 (P : 11)—1971	-do-
7.	IS : 1448 (P : 16)—1990 Methods of test for petroleum and its products P:16 Density, relative density or API gravity of crude petroleum and liquid petroleum products by hydrometer method (Third Revision)	IS : 1448 (P : 16)—1977	-do-
8.	IS : 1493 (Part 6)—1990 Methods of chemical analysis of iron ores Part 6 Determination of sodium and/or potassium contents—flame atomic absorption spectrometric method	IS : 1493—1959	1990-08-01
9.	IS : 23808—1989 Test chart for slotting machines (First Revision)	IS : 2308—1963	1990-09-30
10.	IS : 2582 (Part 2)—1987 Machine tools—spindle noses and face plates—sizes for interchangeability Part 2 Camlock type (Second Revision)	IS : 2582 (Part 2)—1972	-do-
11.	IS : 2582 (Part 3)—1987 Machine tools—spindle noses and face plates—sizes for interchangeability Part 3 Bayonet type (Second Revision)	IS : 2582 (Part 3)—1972	-do-
12.	IS : 3058—1990 Code of practice for fire safety of industrial buildings : viscose rayon yarn and/or staple fibre plants (First Revision)	IS : 3058—1965	-do-

(1)	(2)	(3)	(4)
13. IS : 3741 (Part 2)—1990 Medical glass instruments— Sedimentation tubes—Specification Part 2 Wintrobe tube (Second Revision)	IS : 3741—1980	1990-09-30	
14. IS : 3825—1990 Inset mail wire heads for jute weaving— Specification (Second Revision)	IS : 3825—1974	-do-	
15. IS : 4241—1990 Engineering metrology—Engineer's parallel— Specification (First Revision)	IS : 4241—1967	-do-	
16. IS : 5084—1990 Socks, nylon—Specification (First Revision)	IS : 5084—1969	-do-	
17. IS : 5232—1990 Eye surgery Instruments—Forceps, eye, cilia, beer's pattern (modified)—Specification (Second Revision)	IS : 5232—1980	-do-	
18. IS : 5553 (Part 3)—1990 Reactors—Specification Part 3 Current— limiting reactors and neutral earthing reactors (First Revision)	IS : 5553 (Part 3)—1970	-do-	
19. IS : 5553 (Part 4)—1989 Reactors—Specification Part 4 Damping reactors (First Revision)	IS : 5553—1970	-do-	
20. IS : 5553 (Part 7)—1990 Reactors—Specification Part 7 Arc suppression reactors (First Revision)	IS : 5553—1970	-do-	
21. IS : 6076—1990 Vacuum technology—Flange dimensions (First Revision)	IS : 6076—1971	-do-	
22. IS : 6219—1989 Methods of test for general purpose flat pallets for through transit of goods (Second Revision)	IS : 6219—1977	-do-	
23. IS : 6952—1990 Engineering metrology—Cylindrical squares—Specification (First Revision)	IS : 6952—1973	-do-	
24. IS : 7178—1990 Tapping screws—Technical supply conditions (Second Revision)	IS : 7178—1982	1990-09-30	

(1)	(2)	(3)	(4)
25. IS : 7703 (Part 1)—1990 Methods of test for man made fibres continuous filament flat yarn Part 1 Linear density (First Revision)	IS : 7703 (Part 1)—1975		1990-08-31
26. IS : 7703 (Part 2)—1990 Methods of test for man-made fibres continuous filament flat yarn Part 2 Dry and wet tenacity and elongation (First Revision)	IS : 7703 (Part 2)—1975		1990-09-30
27. IS : 8465—1990 Cane carrier chains—Specification (First Revision)	IS : 8465—1977		do-
28. IS : 12327 (Part 3)—1989 Specification for data interchange on 130mm double sided 3.8 tpm high density flexible disk cartridge using modified frequency modulation recording at 13 262 fprad (Part 3 Track and format B for 80 tracks)	..		do-
29. IS : 12746 (Part 2)—1989 Telecontrol equipment and systems Part 2 Environmental conditions and power supply	..		-do-
30. IS : 12754 (Part 2)—1989 Process measurement control functions and instrumentation—symbolic representation Part 2 Extension of basic requirements	..		-do-
31. IS : 12795—1989 Linear alkyl benzene—Specification	..		-do-
32. IS : 12813—1989 Surgical instruments—Knife autopsy— Specification	..		-do-
33. IS : 12824—1989 Types of duty and classes of rating assigned to rotating electrical machines	..		1990-06-30
34. IS : 12826 (Part 2)—1990 Ordering, testing and acceptance of industrial furnaces—Code of Practice : Part 2 Supplier's data sheet for the supply of industrial furnaces	..		1990-09-30
35. IS : 12834—1989 Solar photovoltaic energy systems— Terminology	..		1990-06-30
36. IS : 12869 (Part 1)—1989 Methods for determination of viscosity and viscometric fixed points of glass Part 1 Determination of viscosity by fibre elongation method	..		1990-09-30

(1)	(2)	(3)	(4)
37. IS : 12880—1989	..		1990-09-30
Guidelines for controlling foundry rejection			
38. IS : 12886—1990	..		do
Heart cam for jute spinning frame— Specification			
39. IS : 12890—1990	..		do
Bobbin rail for jute spinning frames— Specification			
40. IS : 12891—1990	..		do
Method of determination of fusibility of ash of coal, coke and lignite			
41. IS : 12905—1990	..		do
Commercial vehicles—Couplings between power take offs (PTO's) and ancillary driven units			
42. IS : 12909—1990	..		-do-
Power cables—Dimensions for moulds for cast resin based outdoor terminations for voltages above 1 100 volts and up to and including 11 000 volts			
43. IS : 12911—1990	..		1990-08-31
Ent surgery instruments—Laryngeal forceps, oval cup—Specification			
44. IS : 12916—1990	..		1990-09-30
Acephate SP—Specification			
45. IS : 12918—1990	..		do-
Guide for removal of iron from water for rural drinking water supply (chemical treatment method)			
46. IS : 12924—1000	..		-do-
BURA—Specification			
47. IS : 12925—1990	..		do
Ferric ammonium edta solution photographic grade—Specification			
48. IS : 12929—1990	..		-do-
Feedstock (iron oxides and natural gas) for gas-based direct reduction processes— Guidelines			
49. IS : 12951—1990	..		-do-
Mica insulation bricks for high temperature application—Specification			
50. IS : 12956T—1990	..		-do-
Scaled cylindrical type rechargeable nickel cadmium cells—Specification			

Copies of these Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi and Regional Offices : Bombay, Calcutta, Chandigarh and Madras and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Guwahati, Hyderabad, Jaipur, Kanpur, Patna and Trivandrum.

श.पा. 328.—भारतीय मानक नियम, 1987 के नियम 7 के उपनियम (17) की खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस/जिन भारतीय मानक/मानकों, का/के विवरण नीचे अनुसूची में दिया गया है/दिए गए हैं, वह/वे विनांक को स्थापित हो गया है/हो गए हैं।

अनुसूची

क्र.सं.	स्थापित भारतीय मानक (को) की सख्या वर्ष और शीर्षक	नए भारतीय मानक द्वारा प्रतिरूपित भारतीय मानक अथवा मानकों, यदि कोई हों, को स. और वर्ष	टिप्पणी यदि कोई हो
(1)	(2)	(3)	(4)
1.	आई एस : 18-1988 प्रलेखन शीर्षकों में प्रयुक्त शब्दों और प्रकाशनों के शीर्षकों की संक्षिप्तियाँ बनाने के नियम (दूसरा पुनरीक्षण)	आई एस : 18-1970	1990 अगस्त 31
2.	आई एस : 101 (भाग 7/ खंड 1)-1989 रोगन दानिग और मंचद उत्पादों की परीक्षण विधियाँ भाग 7 रोगन फिल्म के पर्यावरणीय परीक्षण खंड 1 जल प्रतिरोधी (तीसरा पुनरीक्षण)	आई एस : 101-1964	-वही-
3.	आई एस : 228 (भाग 9)-1989 हृस्पात के रासायनिक विश्लेषण की विधियाँ भाग 9 निष्कर्षण विधि द्वारा सल्फर ज्ञान करना (सल्फर 0.01 से 0.25 प्रतिशत के लिए) (तीसरा पुनरीक्षण)	आई एस : 228 (भाग 9)-1975	-वही-
4.	आई एस : 439-1989 औद्योगिक कोक विशिष्ट (तीसरा पुनरीक्षण)	आई एस : 439-1976	1990 अगस्त 31
5.	आई एस : 1493 (भाग 5)-1990 लोह अयस्कों के रासायनिक विश्लेषण की विधियाँ भाग 5 तांबा प्रश ज्ञात करना—ज्वाला परमाणु अवशोषण स्पेक्ट्रोमीट्रिक विधि	आई एस :	-वही-
6.	आई एस : 1938-1990 जूट करवों में प्रयुक्त काटन कंन-विशिष्ट (दूसरा पुनरीक्षण)	आई एस : 1938-1974	-वही-
7.	आई एस : 2063-1988 मशीन और कार के लिए स्वीकृत महिता-नान लोड या फिनिशिंग अवस्थाओं में प्रचलित ज्यामितियाँ यथार्थता (पहला पुनरीक्षण)	आई एस : 2063-1962	-वही-
8.	आई एस : 2747-1990 टेक्सी मीटर कार्यकारिता अपेक्षाएँ (पहला पुनरीक्षण)	आई एस : 2747-1964	-वही-
9.	आई एस : 3179-1990 इंजीनियरिंग माप विज्ञान-फोल्डर गेज (दूसरा पुनरीक्षण)	आई एस : 3179-1976	-वही-
10.	आई एस : 3338-1989 पत्राचार के लिए लिफाफों के माइज (दूसरा पुनरीक्षण)	आई एस : 3338-1980	-वही-
11.	आई एस : 3768-1989 संवाती ड्रिफ्टिंग-विनाइल लेपिन सम्य-विशिष्ट (पहला पुनरीक्षण)	आई एस : 3768-1966	-वही-
12.	आई एस : 4300-1989 वस्तुओं के लिए परिवहन के लिए बाक्स पैलेट विशिष्ट (पहला पुनरीक्षण)	आई एस : 4300-1967	-वही-
13.	आई एस : 4909-1990 जूट उद्योग में प्रयुक्त कार्ड और गिल पिन-विशिष्ट (पहला पुनरीक्षण)	आई एस : 4909-1968	-वही-
14.	आई एस : 5045-1989 रंजक मध्यवर्ती मेटानलिक ग्रन्थ, तकनीकी ग्रेड, विशिष्ट ग्रेड, विशिष्ट (दूसरा पुनरीक्षण)	आई एस : 5045-1976	-वही-
15.	आई एस : 5395 (भाग 1)-1989 शल्य क्रिया अंतर्रोधी अंग अस्थि शल्य क्रिया के लिए अन्न मेड्यूलरी कोलन मन्त्र भाग 1 बलोबर लीफ सहित अन्न मेड्यूलरी कोल का आकार का आर मेक्षण (दूसरा पुनरीक्षण)	आई एस : 5395-1979	-वही-

(1)	(2)	(3)	(4)
16. आई एम . 5553 (भाग 2)-1990 गिगटर-विशिष्ट भाग 2 शॉट गिगटर (पहला पुनरीक्षण)	आई एम 5553 (भाग 2)-1970	1990 अगस्त 31	
17 आई एम . 7598-1990 इस्पात का वर्गीकरण (पहला पुनरीक्षण)	आई एम . 7598-1971		-वही-
18 आई एम 1010 (भाग 1, खंड 1)-1990 पैंकेजबंदी सहिता भाग 1 उत्पाद और पैंकेजबंदी खंड 1 खास मामलिया और विक्रीय पदार्थ	आई एम .		-वही-
19 आई एम . 10236 (भाग 1)-1989 प्रकाशिक यंत्रों के लिए आधारभूत मीसम संबंधी और टिकाऊपन परीक्षणों की प्रक्रिया भाग 1 सामान्य	---		-वही-
20 आई एम . 10605-1989 पेट्रोलियम, पेट्रो रसायन और संबंध उद्योगों के लिए इस्पात के ग्लोब बाल्बो (पेंकेजदार और टक्कर-बेल्डिंग सिरों वाले)-विशिष्ट (पहला पुनरीक्षण)	---		-वही-
21 आई एम : 12223 (भाग 2)-1989 252 फिके प्रति मिमी पर आई एम एफ एम का प्रयोग करने हुए 6.30 मिमी चौड़ी बुल्वकीय टेप काटिज पर आकड़ा अंतर परि- वर्तन की विशिष्टि भाग 2 बालू बंद मोड़ में आकड़ा अंतर परिवर्तन हेतु रिक्वाइरिंग के ट्रेक फार्मेट और रिक्वाइरिंग विशिष्टियां	---		-वही-
22 आई एम 12642-1989 ग्रुप और स्विच रिग के लिए ब्रूश होल्डर टाइप आर.ए- विशिष्टि	---		-वही-
23 आई एम . 12725-1989 वायु चालित द्रव पावर तंत्र के उपयोग और स्थापन की मार्ग दिशिका	---		-
24 आई एम . 12755 (भाग 2)-1989 प्रकाशिक पहचान के लिए एल्का न्यूमरिक अक्षर भाग 2 अक्षर सैट ओ सी आर बी-सुप्रित प्रतिबिम्ब के आकार और आयाम	---		-वही-
25 आई एम . 12777-1989 उत्पादों के ज्वलन, फैलाव के वर्गीकरण की विधि	---		-वही-
26 आई एम : 12820-1989 पानी, गैस, मलजल ले जाने के लिए लोहे के डलवां पाइपों और फिटिंगों के साथ प्रयुक्त यांत्रिक जोड़ों और पुन जोड़ों के लिए रखर वास्केट की आयामीय अपेक्षाएं	---		-वही-
27 आई एम 12821-1989 स्वचालन वाहन-ब्रेक प्रणाली नली संयोजन आयाम	---		-वही-
28 आई एम . 12849-1989 वयवीय मशीन और मशीन गन्दाबनी	---		-वही-
29 आई एम 13850-1987 मशीनशुभ्रोजन मरचना के लिए माइयूलर इकाईया सहारा देहै वाले ब्रेकिट	---		-वही-
30 आई एम 12872-1990 धात्विक मायमी-एकाक्षण परीक्षण में प्रयुक्त एक्सटेंसीमीटर का स्थापन	---		-वही-
31 आई एम 12883-1989 खास तेलों के लिए पाली बिनाइल क्लोराइड (पी वी सी) की धीनवे -विशिष्टि	---		-वही-
32 आई एम 12885-1990जूके ड्राईंग फेम के प्रेमिंग रोलर समुच्चय विशिष्टि	---		-वही-
33 आई एम : 12892-1989 बैगैज और बोअर मरब नाओं की सुरक्षा मार्गदर्शी सिद्धान्त	---		-वही-
34 आई एम 12895-3990 एल्का स्वाच्छलिना खाथ ग्रेड विशिष्टि	---		-वही-
35 आई एम 12896-1990 बरबाजे और खिड़की के शटरों और फेमों के लिए भारतीय ईमारती लकड़ी वर्गीकरण	---		-वही-
36 आई एम : 12897-1990 सामान्य सेवा तप्त धीन लम्प के लिए टगस्टन लम्पु के परीक्षण मार्ग दिशिका	---		-वही-
37 आई एम . 12898-1989 डेयरी उत्पाद योगार्ट-विशिष्टि	---		-वही-
38 आई एम . 12910-1990 बम्ब्लादि मशीनरी रीड-चयन की मार्गदिशिका	---		-वही-

(1)	(2)	(3)	(4)
39. आई एस : 12912-1990 ब्रोमाडायोलेन ग्रार बी-विशिष्ट	---	---	-वही-
40. आई एस : 12914-1990 ब्रोमाडायोलेन तकनीकी ग्रेड-विशिष्ट	---	---	-वही-
41. आई एस : 12915-1990 एसीफेड, तकनीकी ग्रेड-विशिष्ट	---	---	-वही-
42. आई एस : 12923-1990 गुड (गने का)-विशिष्ट	---	---	-वही-
43. आई एस : 12926-1990 कछारी नदियों पर मार्गदर्शी किनार बनाने के मार्गदर्शी सिद्धांत	---	---	-वही-

इन मानकों की प्रतियां भारतीय मानक भूरी, मानक भवन, 9, बहादुरसाह जफर मार्ग, नई दिल्ली-110002 और क्षेत्रीय कार्यालयों बम्बई, कलकत्ता, चंडीगढ़ तथा मद्रास और शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना और त्रिवेन्द्रम में विक्री हेतु उपलब्ध हैं।

[सं. के प्र.वि. 13. 2]

एस. मुकेशमण्यन, अपर महानिदेशक

S.O. 828 :—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the Indian Standard(s), Particulars of which is/are given in the Schedule hereto annexed, has/have been established on the date indicated against each :

THE SCHEDULE

Sl. No.	Year and Title of the Indian Standard(s) Established	No. and year of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS : 18—1988 Documentation—rules for the abbreviation of title words and titles of publications (Second Revision)	IS : 18—1978	1990 August 31
2.	IS : 101 (Part 7/Sec 1)—1989 Methods of sampling and test for paints, varnishes and related products Part 7 Environmental tests on paint films Section 1 Resistance to Water (Third Revision)	IS : 101—1964	-do-
3.	IS : 228 (Part 9)—1989 Methods for chemical analysis of steels Part 9 Determination of sulphur by evolution method (for sulphur 0.01 to 0.25 percent) (Third Revision)	IS : 228 (Part 9)—1975	-do-
4.	IS : 439—1989 Industrial coke—Specification (Third Revision)	IS : 439—1976	-do-
5.	IS : 1493 (Part 5)—1990 Methods of chemical analysis of iron ores Part 5 Determination of copper content— Flame atomic absorption spectrometric method	..	-do-

(1)	(2)	(3)	(4)
6.	IS : 1938—1990 Cotton cambs for use in jute looms—Specification (Second Revision)	IS : 1938—1974	1990 August 31
7.	IS : 2063—1988 Acceptance code for machine tools—Geometric accuracy of machine operating under No—Load or finishing conditions (First Revision)	IS : 2063—1962	-do-
8.	IS : 2747—1990 Taximeters—performance requirements (First Revision)	IS : 2747—1964	-do-
9.	IS : 3179—1990 Engineering metrology—feeler gauges (Second Revision)	IS : 3179—1976	-do-
10.	IS : 3338—1989 Sizes of correspondence envelopes (Second Revision)	IS : 3338—1980	-do-
11.	IS : 3768—1989 Ventilation ducting—vinylcoated, flexible—Specification (First Revision)	IS : 3768—1966	-do-
12.	IS : 4300—1989 Box pallets for through transit of goods—Specification (First Revision)	IS : 4300—1967	-do-
13.	IS : 4909—1990 Card and gill pins for use in jute industry—Specification (First Revision)	IS : 4909—1968	-do-
14.	IS : 5045—1989 Dye intermediates—Metenilic acid, technical —Specification (Second Revision)	IS : 5045—1976	-do-
15.	IS : 5395 (Part 1)—1989 Specification for surgical implants —intramedullary nailing systems for bone surgery Part 1 Intramedullary nails with cloverleaf or V-shaped cross-section (Second Revision)	IS : 5395—1979	-do-
16.	IS : 5553 (Part 2)—1990 Reactors—Specification Part 2 Shunt reactors (First Revision)	IS : 5553 (Part 2)—1970	-do-
17.	IS : 7598—1990 Classification of steels (First Revision)	IS : 7598—1974	-do-
18.	IS : 10106 (Part 1/Sec 1)—1990 Packaging code Part 1 Product Packaging Section 1 Foodstuffs and perishables	..	-do-
19.	IS : 10236 (Part 1)—1989 Procedure for basic climatic and durability tests for optical instruments Part 1 General	..	-do-

(1)	(2)	(3)	(4)
20.	IS : 10605—1989 Steel globe valves (flanged and butt welded ends) for petroleum, petrochemical and allied industries—Specification (First Revision)	..	1990 August 31
21.	IS : 12223 (Part 2)—1989 Specification for data interchange on 6.30 mm wide magnetic tape cartridge using in fm recording at 252 fipmm Part 2 Track format and method of recording for data interchange in start/stop mode	..	-do-
22.	IS : 12642—1989 Brush-holders for slip rings group R, type RA—Specification	..	-do-
23.	IS : 12725—1988 Guide for application and installation of pneumatic fluid power systems	..	-do-
24.	IS : 12755 (Part 2)—1989 Alphanumeric character sets for optical recognition Part 2 Character set OCR-B — Shapes and dimensions of the printed image	..	-do-
25.	IS : 12777—1989 Method for classification of flame spread of products	..	-do-
26.	IS : 12820—1989 Dimensional requirements of rubber gaskets for mechanical joints and push-on joints for use with cast iron pipes and fittings for carrying water, gas and sewage	..	-do-
27.	IS : 12821—1989 Automotive vehicles—braking systems, tube connections—dimensions	..	-do-
28.	IS : 12849—1989 Pneumatic tools machines-vocabulary	..	-do-
29.	IS : 12850—1987 Modular units for machine tool construction—support brackets	..	-do-
30.	IS : 12872—1990 Metallic materials—verification of extensometers used in uniaxial testing	..	-do-
31.	IS : 12883—1989 Polyvinyl chloride (PVC) bottles for edible oils—Specification	..	-do-
32.	IS : 12885—1990 Pressing roller assembly for jute drawing frames—Specification	..	-do-
33.	IS : 12892—1989 Safety of barrage and weir structures-guidelines	..	-do-
34.	IS : 12895—1990 Alga Spirulina, food grade—Specification	..	-do-
35.	IS : 12896—1990 Indian timbers for door and window shutters and frames—Classification	..	-do-

(1)	(2)	(3)	(4)
36. IS : 12897—1990 Testing of Tangsten filaments for general service incandescent lamps—Guide	..		1990 August 31
37. IS : 12898—1989 Dairy products-yoghurt—Specification	..		-do-
38. IS : 12910—1990 Textile machinery—reed-guide for selection	..		-do-
39. IS : 12912—1990 Bromadiolone RB—Specification	..		-do-
40. IS : 12914—1990 Bromadiolone, technical—Specification	..		-do-
41. IS : 12915—1990 Acephate, technical—Specification	..		-do-
42. IS : 12923—1990 Cane gur (Jaggery)—Specification	..		-do-
43. IS : 12926—1990 Construction of guide banks in alluvial rivers—Guidelines	..		-do-

Copies of these Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi and Regional Offices : Bombay, Calcutta, Chandigarh and Madras and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Guwahati, Hyderabad, Jaipur, Kanpur, Patna and Trivandrum.

[No. CMD/13 : 2]

S. SUBRAHMANYAN, Addl. Director
General

कृषि मंत्रालय

(कृषि अनुसंधान तथा शिक्षा विभाग)

नई दिल्ली, 22 फरवरी, 1991

का.प्र. 829—केन्द्रीय सरकार, कृषि मंत्रालय, कृषि अनुसंधान तथा शिक्षा विभाग राजभाषा (सब के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उपनिबन्ध (4) के अनुवर्त्य म.प्र.प्र.स. मा.प्र.स. कृषि अनुसंधान परिषद के पस्थान केन्द्रीय पत्री अनुसंधान तस्थान (आई सी आर आई नैशनल इन्स्टीट्यूट ऑफ एग्रिकल्चरल रिसर्च एंड एजुकेशन) में प्रेषित कार्यवाही तद्विषय का कार्यसूचक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[फा.स. 13-11/91-हिन्दी]

हजारी लाल, अवर सचिव

MINISTRY OF AGRICULTURE
(Department of Agri. Res. & Education)

New Delhi, the 22nd February, 1991

Council of Agricultural Research (ICAR Campus) Izatnagar, where more than 80 percent of staff have acquired the working knowledge of Hindi, as notified office in pursuance of Sub Rule 4 of Rule 10 of the Official Language (Use of Official Purpose of the Union) Rule, 1976

SO 829—The Central Government Ministry of Agriculture, Department of Agricultural Research & Education hereby declares the Central Avian Research Institute, Indian

[F. No 13-11/91-Hindi]

HAZARI LAL, Under Secy

परमाणु ऊर्जा विभाग

आदेश

बम्बई, 28 फरवरी, 1991

का.आ. 830 —राष्ट्रपति, केन्द्रीय गविल सेवा (वर्गीकरण नियंत्रण तथा अपील) नियमावली 1965 के नियम 9 के उप नियम (2), नियम 12 के उप नियम (2) के खण्ड (ख) तथा नियम 24 के उप नियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्द्वारा निदेश देते हैं कि दिनांक 5 अक्टूबर 1983 के एम.ओ. सं. 1201 (दिनांक 19 नवम्बर 1983 के शासकीय राजपत्र में प्रकाशित) के आदेश में, निम्नलिखित अंग्रेजी शब्दों को हटा दिया जाए, अर्थात् :-

(i) शीर्ष "भाग-II—सामान्य केन्द्रीय सेवा वर्ग 'ग' के अन्तर्गत मद (xvii) तथा उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित मद एवं प्रविष्टि रखी जाए, अर्थात् :-

(1)	(2)	(3)	(4)	(5)	(6)
(xvii) सामान्य सेवा संगठन, कलपक्कम में पद	मुख्य प्रशासन एवं लेखा अधिकारी, सामान्य सेवा संगठन, कलपक्कम	मुख्य प्रशासन एवं लेखा अधिकारी, सामान्य सेवा संगठन, कलपक्कम	सभी	अपर सचिव, संयुक्त सचिव, परमाणु ऊर्जा विभाग	

(ii) शीर्ष "भाग-III—सामान्य सेवा वर्ग 'घ' " मद (xvii) तथा उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित मद एवं प्रविष्टि रखी जाए, अर्थात् :-

(1)	(2)	(3)	(4)	(5)	(6)
(xvii) सामान्य सेवा संगठन, कलपक्कम में पद	प्रशासन अधिकारी-III, सामान्य सेवा संगठन, कलपक्कम	प्रशासन अधिकारी-III, सामान्य सेवा संगठन, कलपक्कम	सभी	मुख्य प्रशासन एवं लेखा अधिकारी, सामान्य सेवा संगठन, कलपक्कम	

[म 1/6(4) 90-सतर्कता 83]

पी. वेणुगोपालन, अपर सचिव

DEPARTMENT OF ATOMIC ENERGY
ORDER

Bombay, the 28th Feb. 1991

S.O. 830 :—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule(2) of Rule 12 and sub-rule(1) of Rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby directs that the following further amendments shall be made in the Order S.O. No. 4201 dated 5th October, 1983 (Published in the Official Gazette dated 19th Nov. 1983), namely:—

(i) Under the heading "Part-II—General Central Services Group 'C'" for item (xvii) and entry relating thereto, the following item and entry shall be substituted, namely:—

(1)	(2)	(3)	4(4)	(5)	(6)
(xvii) Posts in the General Service Organisation, Kalpakkam	Chief Administrative and Accounts Officer, General Services Organisation, Kalpakkam	Chief Administrative and Accounts Officer, General Services Organisation, Kalpakkam	All	Additional Secretary/Joint Secretary, Department of Atomic Energy	

(ii) Under the heading "Part III—General Central Services Group 'D' ", for item (xvii) and entry relating thereto, the following item and entry shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)	(6)
(xvii) Posts in the General Services Organisation, Kalpakkam	Administrative Officer-III General Services Organisation, Kalpakkam	Administrative Officer III General Services Organisation, Kalpakkam	All	Chief Administrative and Accounts Officer, General Services Organisation, Kalpakkam	

No. 1/6(3)/90—Vig./83]

P. Venugopalan, Under Secy.

पेट्रोलियम और रसायन मंत्रालय

(रसायन और पेट्रो-रसायन विभाग)

नई दिल्ली, 27 फरवरी, 1991

का. आ. 831—केन्द्रीय सरकार, राजभाषा (संघ के प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में रसायन और पेट्रो-रसायन विभाग के नियंत्रणाधीन निम्नलिखित कार्यालय को, जिनके 80 प्रतिशत कर्मचारियों ने हिन्दी का कार्यमात्रक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. इंडियन ड्रग्स एण्ड फार्मास्यूटिकल्स लिमिटेड,
क्षेत्रीय कार्यालय, एम पी वर्मा रोड,
पटना-800 001 (बिहार)

[सं. ई-11012/1/89-हिन्दी]

एम. एल. रविदास, अवर सचिव

MINISTRY OF PETROLEUM & CHEMICALS

(Department of Chemicals and Petro-chemicals)

New Delhi, the 27th February, 1991

S.O. 831.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following office under the Administrative Control of the

Department of Chemicals and Petro-chemicals, the 80 per cent staff whereof have acquired a working knowledge of Hindi :—

1. Indian Drugs & Pharmaceutical Ltd., Regional Office,
S. P. Verma Road, Patna-800001 (Bihar).

[No. F-11012/1/89-Hindi]

S. L. RAVIDAS, Under Secy.

नई दिल्ली, 13 मार्च, 1991

का. आ. 832—केन्द्रीय सरकार को यह प्रमत्त होता है कि लोकहित में होना करना आवश्यक है कि गुजरात राज्य में कोइला से पंजाब राज्य में भटिन्डा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन ड्रग्स एण्ड फार्मास्यूटिकल्स लिमिटेड द्वारा पाइपलाइन बिछाई जाए ;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है; अतः अब केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आग्रह की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हिन बड़ कोई व्यक्ति, राजपत्र में यथा प्रकाशित इन अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइप लाइन बिछाने में आपत्ति लिखित रूप में श्री कृपान मिश्र, भूमि अर्जन, अधिकारी और, सूक्ष्म अधिकारी, इंडियन ड्रग्स एण्ड फार्मास्यूटिकल्स लिमिटेड, कोइला-भटिन्डा पाइपलाइन परियोजना, मेकडर 17-वी, एम पी ओ 178 बंशीगढ़ को कर सकेगा।]

अनुसूची

सहस्रमाल : संयन्त्र		जिला : संयन्त्र		राज्य : पंजाब	
शक्ति का नाम	हवेली नं.	सूचना नं. किला नं.	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
मयरा	109	27.0	—	12	65
		27.32	—	1	26
		27.33	—	15	94
		27.34	—	05	06
		27.35	—	03	29
		27.40	—	13	40
		27.41	—	9	36

1	2	3	4	5	6
	109	2753	--	--	77
		2754	--	15	68
		2755/1	--	7	59
		2768	--	15	69
		2767	--	--	51
		2769/2	--	8	85
		2780	--	13	91
		2781	--	7	33
		2799	--	1	32
		2800	--	15	68
		2801/1	--	4	30
		2809	--	10	12
		4122/2810/2	--	13	15
		2871	--	7	08
		2872	--	15	10
		2875	--	1	77
		2878	--	15	92
		2879	--	--	51
		2881	--	5	82
		2882	--	11	38
		2884	--	9	37
		2889	--	3	52
		2890	--	5	56
बनारस	55	111	--	1	26
		112	--	18	21
		210	--	3	29
		211/1	--	10	62
		211/2/2/2	--	2	02
		211/2/2/1	--	10	12
		212	--	2	02
		215/1	--	16	70
		215/2	--	5	06
		208/1	--	11	89
		208/2	--	--	76
		207	--	9	61
		206	--	22	00
		223	--	--	76
		201/2	--	--	76
		200/2	--	16	18
		200/1	--	9	11
		194/2	--	7	59
		195/2	--	19	20
		185/2	--	7	59
		185/1	--	10	11
		238	--	5	06
		343	--	--	51
		341/1	--	24	78
		350	--	1	26
		351	--	20	06
		352/1	--	--	51
		352/2	--	--	75
		353	--	20	05
		358/1	--	3	04
		357/1	--	13	40

1	2	3	4	5	6
		357/2	--	11	05
		351	--	9	05
		320/2	--	23	02
		317	--	3	05
		318	--	22	00
		315	--	10	37
		450/2	--	16	09
		451	--	5	00
		452/1/2	--	10	37
47		14/16/1	--	1	77
		16/2	--	8	35
		14/16/3	--	01	01
		15/16/2	--	06	07
		20	--	12	90
		22	--	3	04
		23	--	12	14
		24	--	12	05
		25/1	--	1	20
		25/2	--	9	10
		16/21	--	--	51
		19/11	--	8	85
		18	--	--	51
		19	--	11	00
		20	--	4	05
		22/2	--	1	20
		23	--	14	16
		24	--	2	28
		20/1/2	--	10	87
		5	--	12	90
		3	--	10	88
		4	--	1	01
		5	--	4	55
		7	--	13	01
		8	--	1	26
		15	--	10	08
		34/4	--	11	63
		5	--	7	85
		6	--	6	07
		35/9	--	--	20
		10	--	12	05
		11	--	2	02
		12	--	11	38
		13	--	01	77
		18	--	1	65
		19	--	--	26
		17	--	7	54
		24	--	6	83
		25	--	11	38
		26	--	3	29
		37/1	--	11	03
		9	--	1	77
		38/5	--	3	29
		6/13	--	--	51

1	2	3	4	5
		14	--	84
		17	--	55
कम्बो मातंग कला	45	34/2	--	92
		335/31/1	--	23
		32/1	--	91
		337/32/2	--	32
		422/33/1	--	11
		422/33/2	--	12
		347/48/2	--	50
		351/49/2	--	12
		51	--	26
		150	--	23
		151	--	18
		155/1	--	79
		559/156	--	80
		152	--	06
		153/1	--	39
		165	--	23
		175	--	24
		174	--	06
		179/2	--	32
		180/1	--	25
		196/2	--	17
		197/1/2	--	45
		197/2	--	53
		200/2	--	26
		198	--	85
		199	--	38
दीर्घ अक्षरान	38	8/12	--	04
		13	--	27
		6/17	--	50
		18	--	95
		23	--	52
		24	--	66
		16/10	--	09
		11	--	12
		12	--	31
		18	--	26
		19	--	90
		27	--	25
		23	--	66
		17/4	--	55
		5	--	88
		6	--	34
		18/3	--	54
		4	--	89
		6	--	85
		7	--	32
		15	--	61
		19/11	--	06
		19	--	77
		20	--	64

1	2	3	4	5	6
रामनगर सिबियान	37	105/2	---	17	71
		105	---	20	23
		106	---	20	24
		109/1	---	08	85
		109/2	---	3	79
		110	---	3	04
		111	---	11	39
		563/114	---	17	70
		624/243	---	20	23
		677/246	---	20	24
		250	---	19	47
		251	---	---	76
		249	---	8	85
		252	---	11	38
		442	---	18	22
		443/1	---	20	24
		444	---	20	23
		391/2	---	21	75
		392	---	19	48
		373	---	18	21
		374	---	---	76
		375	---	14	92
		393/2	---	3	19
		399	---	10	37
		395	---	22	51
		399	---	2	02
		390	---	6	33
		1	---	8	58
		451/3	---	20	23
		456	---	13	91
		457	---	13	91
		458	---	13	91
		459	---	13	91
		490	---	13	91
		491	---	10	88
		495	---	7	59
		496	---	4	30
		501	---	---	51
		511	---	15	68
		512	---	13	91
		513	---	13	40
		534	---	09	62
		535	---	06	32
		536	---	02	53
		540	---	11	63
		539	---	14	16
		1291	---	06	58
		1292	---	1	52
		1293	---	14	16
		1294/2	---	13	91
कमोई जयरा	37				
	46				
	7				

1	2	3	4	5	6
कनौरी उपखेती	7	1479	—	17	86
		1480	—	13	91
		1481	—	13	91
		1495/1	—	03	79
		1495/2	—	09	87
		1496	—	13	91
		1497	—	12	39
		1498/2	—	09	61
		1807	—	06	32
		1808	—	12	64
		1815	—	13	15
		1818	—	13	91
		1819	—	13	91
		1820	—	—	77
		1822	—	01	27
		2082	—	13	91
		2083	—	13	91
		2084	—	12	91
		2086	—	07	23
		2087	—	05	06
		2089/1	—	4	30
		2100	—	10	88
		2101	—	2	53
		2102	—	09	10
		2105	—	04	55
		2122	—	02	82
		2129/1	—	09	80
		2129/2	—	01	26
		2130	—	—	76
		2131/2	—	08	85
		2132/1	—	06	82
		2132/2	—	02	04
		2139	—	12	91
		2140	—	12	91
		2143	—	08	58
बहुला सिखवाग	8	241	—	13	18
		246	—	13	91
		311	—	12	15
		318	—	13	91
		319	—	09	61
		320/2	—	03	29
		321	—	10	62
		322	—	04	20
		357	—	13	91
		358	—	13	91
		362	—	13	91
		365	—	05	06
खेवाला	8	99/17/2	—	4	30
		18	—	11	89
		99/19	—	9	11
		20	—	3	28
		21	—	9	11
		22	—	3	28

1	2	3	4	5	6
उवेवाल--जारी	6	23	---	---	26
		100/21/2	---	12	39
		22	---	12	39
		23	---	12	40
		24/2-3	---	11	13
		25	---	12	39
		101/22	---	01	77
		23	---	6	58
		24	---	7	59
		25	---	12	39
		125/25	---	08	85
		126/15	---	12	40
		14	---	01	77
		16	---	---	76
		17/1	---	06	52
		17/2	---	4	05
		18/1/3	---	13	15
		19	---	3	29
		21	---	12	90
		22/1	---	06	07
		126/22/2	---	03	54
		23	---	---	51
		127/6	---	12	39
		7	---	12	39
		8	---	11	89
		9	---	07	84
		10	---	---	51
		11	---	13	15
		12/1	---	03	54
		12/2	---	1	26
		12	---	---	51
		128/4	---	02	88
		5	---	10	37
		7	---	09	61
		8	---	12	65
		9	---	11	15
		10	---	12	40
		129/1	---	10	12
		2	---	12	59
		3	---	13	39
		4	---	12	40
		5	---	12	40
		10	---	02	27
		120/1	---	12	39
		130/2	---	10	62
		3/2	---	06	58
		4	---	01	77
		139/3	---	12	39
		4	---	13	40
		5	---	05	06
		140/6/1	---	01	52
		13	---	02	53
		14/2/1	---	11	88

1	2	3	4	5	6
उपवर्ग (शरी)	6	15	--	12	14
		17/1	--	--	25
		18	--	10	37
		19	--	13	41
		20/2	--	04	05
		21/1	--	01	52
		21/2	--	07	34
		141/24	--	08	60
		25	--	13	40
		150/4	--	03	28
		5	--	09	11
		6	--	03	29
		7/1	--	--	76
		7/2	--	--	76
		151/1	--	09	61
		151/2	--	10	12
		3/1	--	07	34
		3/2	--	03	29
		4	--	12	14
		5/1	--	04	30
		5/2	--	08	09
		7	--	--	25
		8	--	01	01
		9	--	2	28
		10	--	02	78
		152/1/1	--	12	40
		2	--	11	63
		3/2	--	09	87
		4	--	12	39
		5	--	12	39
		153/1	--	12	40
		2	--	12	40
		3	--	12	39
		4/2	--	06	07
		4/3	--	06	07
		5/1	--	07	33
		5/2	--	05	06
		154/1	--	12	40
		2	--	12	39
		154/3	--	12	39
		4	--	12	40
		5/1	--	10	12
		5/2	--	02	27
		155/1	--	12	40
		2	--	12	39
		3/2	--	12	40
		4	--	12	40
		5/2	--	12	39
		156/1	--	11	38
		2	--	12	39
		3	--	12	40
		4	--	12	39

1	2	3	4	5	6
उद्योग (गारी)		5	--	12	35
		157/1	--	12	40
		2	--	12	40
		3	--	12	39
		4	--	12	39
		5	--	12	40
		158/1	--	12	39
		2/1	--	02	79
		2/2	--	07	07
		3/1	--	04	30
		3/2	--	08	35
किला-गारियाल	6	158/4	--	06	32
	5	48/21	--	05	31
		22	--	02	78
		23	--	--	80
		49/21	--	12	39
		22/3	--	10	63
		23	--	12	39
		24	--	11	13
		25/2	--	08	34
		50/21	--	12	39
		22	--	12	40
		23	--	12	39
		24	--	12	40
		25	--	12	39
		51/18	--	01	52
		19	--	04	55
		20/1	--	01	52
		20/2	--	05	06
		21	--	05	56
		22	--	07	84
		23/1	--	09	11
		23/2	--	02	78
		24	--	12	40
		25	--	12	39
		32/16/1	--	08	60
		17	--	11	13
		18	--	12	39
		19	--	12	39
		20/1	--	06	07
		20/2	--	06	33
		24/1	--	--	25
		25	--	02	78
		53/11	--	01	77
		16	--	12	39
		17	--	12	40
		18	--	12	39
		19/1	--	01	52
		19/2	--	01	52
		19/3	--	05	63
		20/1	--	10	63
		54/15	--	1	26
		16	--	03	01
		59/4	--	01	01

1	2	3	4	5	6
		5	---	04	05
		60/1	---	06	87
		2	---	9	11
		3	---	12	89
		4	---	12	39
		60/5/1	---	06	58
		61/1/1	---	08	09
		2/1	---	12	40
		3	---	11	63
		4	---	12	40
		5/2/2	---	12	39
		62/1	---	11	13
		2	---	11	89
		3/2	---	10	62
		4/2	---	05	31
		7	---	1	52
		8	---	1	77
		9/1	---	---	51
लोगोबाल	4	248/14	---	03	04
		25	---	09	12
		249/21/1	---	8	35
		21/2	---	04	05
		22	---	12	39
		23/1	---	12	39
		24	---	11	38
		25	---	11	64
		250/16	---	12	39
		17	---	12	39
		18	---	12	40
		250/19	---	12	39
		20	---	7	59
		21	---	2	28
		251/12	---	2	53
		13	---	8	35
		14	---	12	39
		15	---	12	39
		18	---	04	05
		19	---	08	85
		20	---	12	40
		252/6	---	12	40
		7	---	06	845
		14/1	---	3	54
		14/1	---	01	01
		8	---	---	76
		11	---	12	39
		12/1	---	05	31
		12/2	---	07	08
		13	---	11	64
		253/4	---	03	79
		5/1	---	08	10
		5/2	---	2	78
		6/2	---	1	32

1	2	3	4	5	6
	4	7/1	--	05	00
		53/7/2	--	01	26
		8	--	12	39
		9	--	12	39
		10	--	12	40
		254/1	--	12	39
		2	--	11	38
		3	--	12	40
		4	--	12	14
		5	--	9	11
		6	--	03	28
		7	--	—	25
		255/1	--	5	56
		2	--	02	8
		3/1	--	—	25
		6	--	14	66
		7	--	08	10
		8/1	--	06	07
		8/2	--	08	07
		9	--	09	61
		10	--	06	83
		256/8	--	12	19
		9	--	12	40
		10	--	12	9
		15/1	--	—	51
		257/7/1	--	—	25
		8	--	02	51
		9	--	06	07
		10/1	--	01	01
		10/2	--	08	60
		282/11	--	02	78
		12	--	06	07
		13/1	--	07	84
		13/2	--	01	52
		14	--	1	14
		15	--	12	19
		258/11/1	--	12	40
		12	--	12	39
		13/1	--	03	54
		15/1	--	03	63
		14	--	12	39
		15/1	--	04	05
		15/2	--	05	11
		259/11	--	11	10
		12	--	09	11
		10	--	06	07
		14	--	2	78
		16	--	07	59
		17	--	06	22
		259/18	--	06	07
		19	--	05	29
		20/1	--	—	50
		20/2	--	—	51
		260/16	--	12	39

1	2	3	4	5	6
	17		--	12	40
	18/1		--	03	29
	18/2		--	07	08
	19/1		--	04	60
	19/2		--	03	79
	20/1/2		--	10	88
	20/2		--	--	51
	261/16/1		--	--	25
	16/2		--	1	01
	16/3		--	03	64
	17		--	07	84
	18/1		--	02	02
	18/2		--	09	11
	19		--	12	39
	20/1		--	02	53
	20/2		--	09	86
	23		--	01	01
	24		--	04	55
	25		--	08	35
	262/16		--	1	40
	17		--	11	19
	18		--	08	35
	19/1		--	4	10
	19/2		--	1	52
	20/1		--	01	01
	20/2		--	01	01
	20/3		--	01	01
	21		--	09	11
	22		--	06	83
	23		--	04	05
	24		--	01	01
	263/16/1		--	02	78
	16/2		--	09	61
	17		--	1	39
	18		--	12	40
	19		--	12	39
	20/1		--	08	09
	20/2		--	02	79
	264/16		--	12	19
	17		--	12	40
	18		--	12	39
	19		--	13	15
	20		--	09	61
	265/11--		--	01	01
	12		--	03	29
	13		--	5	56
	14		--	08	35
	15		--	11	38
	16		--	01	01
	17/1		--	02	28
	17/2		--	01	52
	18		--	06	83

1	2	3	4	5	6
		19	--	09	11
		20	--	11	38
		266/11	--	11	38
		13	1	12	39
		13/1	--	03	29
		13/2	--	09	11
		14	--	12	39
		15	--	12	39
		267/11/2	--	12	14
		14	--	10	12
		15	--	07	84
		14	--	05	56
		15	--	02	28
		16/1	--	03	54
		16/2	--	02	28
4		267/17/1	--	06	83
		18	--	04	55
		19	--	02	28
		20	--	--	25
		289/1	--	12	39
		2/2	--	12	40
		3	--	12	13
		4	--	08	35
		5	--	01	29
		290/3	--	02	53
		4	--	09	11
		5	--	12	39
		7	--	03	29
		8	--	09	61
		9/1	--	03	29
		9/2	--	08	10
		10/1	--	12	39
		291/6	--	12	39
		7	11	11	39
		08	--	04	55
		9	--	--	51
		11/1	--	--	76
		11/2	--	11	63
		12	--	10	88
		291/13	--	07	84
		14	--	01	01
		292/11/1	--	04	55
		15	--	11	89
		13/2	--	12	39
		14	--	12	40
		15/2	--	06	07
		15/3	--	06	32
		19	--	--	51
		20	--	02	53
		293/15	--	--	25
		294/21/2	--	11	37
		22	--	13	07

1	2	3	4	5	6
		295/24	--	02	28
		25	--	07	30
		007/2	--	--	76
		3	--	08	35
		4	--	12	39
		5	--	12	39
		8	--	03	04
		308/1	--	12	39
		2	--	12	40
		3	--	11	89
		04	--	6	80
	4	308/5	--	02	02
		256/6	--	11	89
		7	--	12	39
लोहाखेरा	1	79/16	--	05	56
		17	--	--	51
		23	--	09	86
		24	--	11	89
		25	--	06	83
		80/16	--	12	14
		17	--	12	39
		18	--	12	89
		19/1	--	02	53
		19/2	--	07	33
		20	--	11	89
		21	--	--	50
		81/20	--	04	30
		88/2/2	--	01	52
		9	--	10	12
		10/1	--	12	39
		89/6	--	12	39
		7	--	12	15
		8	--	--	76
		9	--	06	83
		10	--	01	01
	1	89/11/1	--	11	38
		12	--	04	80
		90/11	--	10	88
		12	--	12	39
		13	--	12	40
		14	--	10	87
		15	--	12	39
		91/15	--	04	56
		16	--	07	84
		17	--	12	39
		18	--	04	55
स्तोके	76	8/22	--	01	01
		23	--	03	35
		24	--	11	89
		25/1	--	--	26
		25/3/2	--	05	56
		9/16	--	11	13

1	2	3	4	5	6
		17	--	07	33
		18	--	01	77
		21/2	--	12	9
		22	--	12	39
		23/2	--	10	37
		24	--	05	06
		25	--	01	01
	76	10/18/2	--	07	59
		19	--	12	39
		20	--	12	40
		15/1/1/1	--	11	65
		2	--	11	38
		3	--	04	05
		16/1/2	--	07	28
		2/2	--	09	62
		3	--	12	39
		4	--	12	39
		5	--	12	40
		9	--	02	78
		10/1	--	08	35
		17/6/1	--	05	81
		6/2	--	04	55
		7	--	12	39
		8	--	08	60
साहोके	82	6/8	--	03	79
		9/1	--	12	40
		10	--	09	35
		11/1	--	03	04
		7/15/1	--	02	53
		8/14	--	03	54
		15	--	06	07
	82	8/16	--	01	1
		17	--	02	02
		20	--	11	13
		9/16	--	--	75
		10/11/2	--	11	63
		12/1/2	--	--	25
		12/2/2	--	04	05
		18	--	13	91
		19/2	--	07	59
		11/11/1	--	03	54
		11/3	--	03	54
		12/2	--	12	39
		13	--	12	39
		14/1	--	04	56
		14/2	--	07	84
		15/1	--	01	52
		15/2	--	10	88
		12/11/2, 3	--	12	14
		12	--	12	39
		13	--	12	40
		14	--	12	40
		15	--	12	39
		13/15	--	04	30
		16	--	--	50

1	2	3	4	5	6
संश्लेषण	81	43/11	---	12	39
		12	---	11	63
		13	---	12	39
		14	---	12	40
		15	---	09	36
		44/13	---	01	01
		14	---	02	79
		15	---	05	31
		1	---	03	79
		18	---	11	38
		19	---	12	39
		20	---	01	27
		45/16/1	---	11	12
		17	---	12	14
		18/1	---	09	11
		19/2	---	02	53
		21	---	11	63
		22/1	---	08	85
		23/2	---	03	29
		46/21	---	11	63
		72	---	---	---

1	2	3	4	5	6
		295/24	---	02	28
		25	---	07	32
		307/2	---	---	76
		3	---	08	35
		4	---	12	39
		5	---	12	39
		8	---	03	04
		308/1	---	12	39
		2	---	12	40
		3	---	11	89
		04	---	6	82
	4	308/5	---	02	02
		256/6	---	11	89
		7	---	12	39
सोहाखेरा	1	79/16	---	05	56
		17	---	---	51
		23	---	09	86
		24	---	11	89
		25	---	06	83
		80/16	---	12	14
		17	---	12	39
		18	---	12	89
		19/1	---	02	53
		19/2	---	07	33
		20	---	11	89
		21	---	---	50
		81/20	---	04	30
		88/2/2	---	01	52
		9	---	10	12
		10/1	---	12	39
		89/6	---	12	39
		7	---	12	15
		8	---	---	76
		9	---	06	83
		10	---	01	01
	1	89/11/1	---	11	38
		12	---	04	80
		90/11	---	10	88
		12	---	12	39
		13	---	12	40
		14	---	10	87
		15	---	12	39
		91/15	---	04	56
		16	---	07	84
		17	---	12	39
		18	---	04	55
संश्लेषण	76	8/22	---	01	01
		23	---	03	35
		24	---	11	89
		25/1	---	---	26
		25/3/1	---	05	56
		9/16	---	11	13

1	2	3	4	5	6
		19/2	—	—	50
		21/2	—	08	58
		21/1/2	—	01	26
		22	—	11	89
		23	—	08	35
		24	—	05	56
		25	—	02	27
		60/2/2	—	—	50
	807		66	13	84

[भार-31015/2/90-प्रो. भार-I]

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum and Natural Gas)

New Delhi, the 13th March, 1991

S.O. 832 :—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Kirpal Singh, Land acquisition Officer and Competent Authority, Indian Oil Corporation Ltd., Kandla-Bhatinda Pipeline Project, Sector 37—C, SCO 178 Chandigarh.

SCHEDULE

Tehsil Sangrur			District : Sangrur State Punjab		
Name of Village	Hadbast No.	Survey No./Khasra No./Mustateel No. Killa No.	AREA		
			Hectare	Are	Centi Area
1	2	3	4	5	6
Nagra	109	2720	—	12	65
		2732	—	1	26
		2733	—	15	94
		2734	—	5	06
		2735	—	3	29
		2740	—	13	40
		2741	—	9	36
		2753	—	1	77
		2754	—	15	68
		2755/1	—	7	59

17	—	02	02
20	—	11	13
9/16	—	—	75
10/11/2	—	11	63
12/1/2	—	—	25
12/2/2	—	04	05
18	—	13	91
19/2	—	07	59
11/11/1	—	03	54
11/3	—	03	54
12/2	—	12	39
13	—	12	39
14/1	—	04	56
14/2	—	07	84
15/1	—	01	52
15/2	—	10	88
12/11/2, 3	—	12	14
12	—	12	39
13	—	12	40
14	—	12	40
15	—	12	39
13/15	—	04	30
16	—	—	50

1	2	3	4	5	6
Nagra continued		2768	—	15	68
		2767	—	—	51
		2769/2	—	8	85
		2780	—	13	91
		2781	—	7	33
		2799	—	1	52
		2800	—	15	68
		2801/1	—	4	30
		2809	—	10	12
		4123/2810/2	—	13	15
		2871	—	7	08
		2872	—	15	18
		2873	—	1	77
		2878	—	15	93
	109	2879	—	—	51
		2881	—	5	82
		2882	—	11	38
		2884	—	9	37
		2889	—	1	52
		2890	—	5	56
Ghaggarpur	55	111	—	1	26
		112	—	18	21
		210	—	3	29
		211/1	—	10	62
		211/2/2/2	—	2	02
		211/2/2/1	—	10	12
		212	—	2	02
		215/1	—	16	70
		215/2	—	5	06
		208/1	—	11	89
		208/2	—	—	76
		207	—	9	61
		206	—	22	00
		223	—	—	76
		201/2	—	—	76
		200/2	—	16	18
		200/1	—	9	11
		194/2	—	7	59
		195/2	—	17	20
		185/2	—	7	59
		185/1	—	10	11
		238	—	65	06
		343	—	—	51
		344/1	—	24	78
		350	—	1	26
		351	—	26	06
		352/1	—	—	51
		352/2	—	—	75

1	2	3	4	5	6
Ghaggarpur—Continued	55	353	—	26	05
		358/1	—	3	04
		357/1	—	13	40
		357/2	—	12	65
		321	—	9	35
		320/2	—	23	02
		317	—	3	05
		318	—	22	00
		315	—	10	37
		450/2	—	16	69
		451	—	5	06
		452/1/2	—	10	37
Kheri	47	14/16/1	—	1	77
		16/2	—	8	35
		14/16/3	—	01	01
		15/19/2	—	06	07
		20	—	12	90
		22	—	3	04
		23	—	12	14
		24	—	12	65
		25/1	—	1	26
		25/2	—	9	10
		16/21	—	—	51
		19/11	—	8	85
		18	—	—	51
		19	—	11	89
		20	—	4	05
		22/2	—	1	26
		23	—	14	16
		24	—	2	28
		20/12	—	10	87
		2	—	12	90
		3	—	10	88
		4	—	1	01
		6	—	4	55
		7	—	13	91
		8	—	1	26
		15	—	10	88
	47	34/4	—	11	63
		5	—	7	85
		6	—	6	07
		35/9	—	—	26
		10	—	12	65
		11	—	2	02
		12	—	11	38
		13	—	1	77
		18	—	12	65
		19	—	—	26
		17	—	7	58
		24	—	6	83

1	2	3	4	5	6
Kheri—Concld.	47	25	—	11	38
		26	—	3	29
		37/1	—	11	63
		9	—	1	77
		38/5	—	3	29
		6/13	—	—	51
		14	—	8	84
		17	—	4	55
		34/2	—	13	92
		335/31/1	—	20	23
Kambo Majra Kalan	45	32/1	—	13	91
		337/32/2	—	6	32
		422/33/1	—	10	11
		422/33/2	—	10	12
		347/48/2	—	21	50
		351/49/2	—	10	12
		51	—	1	26
		150	—	20	23
		151	—	15	18
		155/1	—	3	79
		559/156	—	3	80
		152	—	5	06
		153/1	—	11	39
		165	—	20	23
		173	—	20	24
		174	—	5	06
		179/2	—	6	32
		180/1	—	20	23
		196/2	—	15	17
		197/1/2	—	16	45
		197/2	—	2	53
		200/2	—	1	26
		198	—	8	85
		199	—	11	38
Beer Ashwan	38	8/12	—	3	04
		13	—	2	27
		8/17	—	—	5
		18	—	16	9
		23	—	1	52
		24	—	13	66
		16/10	—	08	09
		11	—	10	12
		12	—	5	31
		18	—	1	26
		19	—	12	90
		22	—	—	25
		23	—	13	66
		17/4	—	04	55
		5	—	10	88
		6	—	07	34
		18/3	—	03	54

1	2	3	4	5	6
Bear Ashwan -Concl'd.	38	4	—	11	89
		6	—	08	85
		7	—	06	32
		15	—	09	61
		19/11	—	05	06
		19	—	01	77
		20	—	11	64
Ram Nagar (Sibian)	37	102/2	—	17	71
		105	—	20	22
		106	—	20	24
		109/1	—	80	85
		109/2	—	3	79
		110	—	3	04
		111	—	11	39
		563/114	—	17	70
		624/243	—	20	23
		677/246	—	20	24
		250	—	19	47
		251	—	—	76
		249	—	8	85
		252	—	11	38
		442	—	18	22
		443/1	—	20	24
		444	—	20	23
		391/2	—	21	75
		392	—	19	48
		373	..	18	21
		374	—	—	76
		372	..	14	92
		393/2	—	3	29
		363	—	10	37
		365	—	22	51
		359	—	2	02
Ram Nagar	37	360	..	6	33
Kanoi	46	1	—	8	85
Upli	7	451/2	—	20	23
		456	—	13	91
		457	—	13	91
		458	—	13	91
		459	—	13	91
		490	—	13	91
		491	—	10	88
		495	..	7	59
		496	—	4	30
		501	—	—	51
		511	—	15	68
		512	—	13	91
		513	—	13	40
		534	—	09	62
		535	—	06	32

1	2	3	4	5	6
Upli continued		536	—	02	53
		540	—	11	63
		539	—	14	16
		1291	—	06	58
		1292	—	1	52
		1 293	—	14	16
		1 294/2	—	13	91
		1479	—	17	96
		1480	—	13	91
		1481	—	13	91
		1495/1	—	03	79
		1495/2	—	09	87
		1496	—	13	91
		1497	—	12	39
		1498/2	—	09	61
		1807	—	06	32
		1808	—	12	64
		1815	—	13	15
		1818	—	13	91
		1819	—	13	91
		1820	—	—	77
		1822	—	01	27
		2082	—	13	91
		2083	—	13	91
		2084	—	13	91
		2086	—	05	06
		2087	—	05	06
		2099/1	—	4	30
		2100	—	10	88
		2101	—	2	53
		2102	—	09	10
		1853	—	04	55
	7	2122	—	02	02
		2129/1	—	09	86
		2129/2	—	01	26
		2130	—	—	76
		2131/1	—	08	85
		2132/1	—	06	83
		2132/2	—	03	04
		2139	—	13	91
		2140	—	13	91
		2140	—	06	58
Chatha Sekwan	8	241	—	15	18
		246	—	13	91
		311	—	13	15
		318	—	15	91
		319	—	09	61
		320/2	—	03	29
		321	—	10	62

1	2	3	4	5	6
Chatha Sekwan (Continued)		322	—	04	30
		357	—	13	91
		358	—	13	91
		362	—	13	91
		363	..	05	06
Ubewal	6	99/17/2	—	4	30
		18	—	11	89
		99/19	—	9	11
		20	—	3	28
		21	—	9	11
		22	—	3	28
		23	—	—	26
		100/21/2	—	12	39
		22	—	12	39
		23	—	12	40
		24/2-3	—	11	13
		25	—	12	39
		101/22	—	01	77
		23	—	6	58
		24	—	7	59
		25	—	12	39
		125/25	—	08	85
		126/15	—	12	40
		14	—	01	77
		16	—	—	76
		17/1	—	06	32
		17/2	—	4	05
		18/2,3	—	13	15
		19	—	3	29
		21	—	12	90
		22/1	—	06	07
		126/22/2	..	03	54
		23	—	—	41
		127/6	—	12	39
		7	..	12	39
		8	—	11	89
		9	—	07	84
		10	—	—	51
		11	—	13	15
		12/1	—	03	54
		12/2	—	1	26
		13	—	—	51
		128/4	—	02	78
		5	—	10	37
		7	—	09	61
		8	—	12	65
		9	—	11	13
		10	—	12	40
		129/1	—	10	12
		2	—	12	39

1	2	3	4	5	6
Ubewal (Continued)		3	—	12	39
		4	—	12	40
		5	—	12	40
		10	—	02	27
		130/1	—	12	39
6		130/2	—	10	62
		3/2	—	06	58
		4	—	01	77
		139/3	—	12	39
		4	—	13	40
		5	—	05	06
		140/6/1	—	01	52
		13	—	02	53
		14/2/1	—	11	89
		15	—	12	14
		17/1	—	—	25
		81	—	10	37
		19	—	13	41
		20/2	—	04	05
		21/1	—	01	52
		21/2	—	07	84
		141/24	—	08	60
		25	—	13	40
		150/4	—	03	28
		5	—	09	11
		6	—	03	29
		7/1	—	—	76
		7/2	—	—	76
		151/1	—	09	61
		151/2	—	10	12
		3/1	—	07	34
		3/2	—	03	29
		4	—	12	14
		5/1	—	04	30
		5/2	—	08	09
		7	—	—	25
		8	—	01	01
		9	—	2	28
		10	—	02	78
		152/1/1	—	12	40
		2	—	11	63
		3/2	—	09	87
		4	—	12	39
		5	—	12	39
		153/1	—	12	40
		2	—	12	40
		3	—	12	39
		4/2	—	06	07
		4/3	—	06	07
		5/1	—	07	33

1	2	3	4	5	6
Ubewal Continued.		5/2	—	05	06
		154/1	—	12	40
		2	—	12	39
		154/3	—	12	39
		4	—	12	40
		5/1	—	10	12
		5/2	—	02	27
		155/1	—	12	40
		2	—	12	39
		3/2	—	12	40
		4	—	12	39
		5/2	—	12	39
		156/1	—	11	38
		2	—	12	39
		3	—	12	40
		4	—	12	39
		5	—	12	39
		157/1	—	12	40
		2	—	12	40
		3	—	12	39
		4	—	12	39
		5	—	12	40
		158/1	—	12	39
		2/1	—	02	79
		2/2	—	07	07
		3/1	—	04	30
		3/2	—	08	35
		158/4	—	06	32
Killa Bharian	5	48/21	—	05	31
		22	—	02	78
		23	—	—	50
		49/21	—	12	39
		22/3	—	10	63
		23	—	12	39
		24	—	11	13
		25/2	—	08	34
		50/21	—	12	39
		22	—	12	40
		23	—	12	39
		24	—	12	40
		25	—	12	39
		51/18	—	01	52
		19	—	04	55
		20/1	—	01	52
		20/2	—	05	06
		21	—	05	56
		22	—	07	84
		23/1	—	09	11
		23/2	—	02	78
		24	—	12	40
		25	—	12	39

1	2	3	4	5	6	
Killa Bharian	Continued	5	52/16/1	—	08	60
			17	—	11	13
			18	—	12	39
			19	—	12	39
			20/1	—	06	07
			20/2	—	06	33
			24/1	—	—	25
			25	—	02	78
			53/11	—	01	77
			16	—	12	39
			17	—	12	40
			18	—	12	39
			19/1	—	01	52
			19/2	—	01	52
			19/3	—	05	63
			20/1	—	10	63
			54/15	—	1	26
			16	—	03	04
			59/4	—	01	01
			5	—	04	05
			60/1	—	06	83
			2	—	9	11
			3	—	12	89
			4	—	12	39
			60/5/1	—	06	58
			61/1/1	—	08	09
			2/1	—	12	40
			3	—	11	63
			4	—	12	40
			5/2/2	—	12	39
			62/1	—	11	13
			2	—	11	89
			3/2	—	10	62
			4/2	—	05	31
			7	—	1	52
			8	—	1	77
			9/1	—	—	51
Longowal	4		248/24	—	03	04
			25	—	09	12
			249/21/1	—	8	35
			21/2	—	04	05
			22	—	12	39
			23/1	—	12	39
			24	—	11	38
			25	—	11	64
			250/16	—	12	39
Longowal	4		17	—	12	39
			18	—	12	40
			250/19	—	12	39
			20	—	7	59

1	2	3	4	5	6
Longowal Continued	4	21	—	2	28
		251/12	—	2	53
		13	—	8	35
		14	—	12	39
		15	—	12	39
		18	—	04	05
		19	—	08	85
		20	—	12	40
		252/6	—	12	40
		7	—	06	84
		14/1	—	3	54
		14/1	—	01	01
		8	—	—	76
		11	—	12	39
		12/1	—	05	31
		12/2	—	07	08
		13	—	11	64
		253/4	—	03	79
		5/1	—	08	10
		5/2	—	2	78
		6/2	—	1	52
		7/1	—	05	06
		253/7/2	—	01	26
		8	—	12	39
		9	—	12	39
		10	—	12	40
		254/1	—	12	39
		2	—	11	38
		3	—	12	40
		4	—	12	14
		5	—	9	11
		6	—	03	28
		7	—	—	25
		255/1	—	5	56
		2	—	02	89
		3/1	—	—	25
		6	—	13	66
		7	—	08	10
		8/1	—	06	07
		8/2	—	06	07
		9	—	09	61
		10	—	06	83
		256/8	—	12	39
		9	—	12	40
		10	—	12	39
		15/2	—	—	51
		257/7/1	—	—	25
		8	—	02	53
		9	—	06	07

1	2	3	4	5	6
Longowal	4	10/2	—	01	01
		10/3	—	08	60
		3/11	—	02	78
		12	—	06	07
		13/1	—	07	84
		13/2	—	01	52
		14	—	12	14
		15	—	12	39
		258/11/1	—	12	40
		12	—	12	39
		13/1	—	03	54
		13/2	—	03	03
		14	—	12	39
		15/1	—	04	05
		15/2	—	03	31
		259/11	—	11	13
		12	—	09	11
		13	—	06	07
		14	—	2	78
		16	—	07	59
		17	—	06	32
		259/18	—	06	07
		19	—	03	29
		20/1	—	—	50
		20/2	—	—	51
		260/16	—	12	39
		17	—	12	40
		1 /8	—	03	29
		18/2	—	07	08
		19/1	—	08	60
		19/2	—	03	79
		20/1	—	10	88
		20/2	—	—	51
		261/16/1	—	—	25
		16/2	—	1	01
		16/3	—	03	04
		17	—	07	84
		18/1	—	02	02
		18/2	—	09	11
		19	—	12	39
		20/1	—	02	53
		20/2	—	09	86
		23	—	01	01
		24	—	04	55
		25	—	08	35
Longowal	4	262/16	—	12	40
		17	—	11	38
		18	—	08	35
		19/1	—	4	30
		19/2	—	1	52

1	2	3	4	5	6
Longowal continued	4	20/1	—	01	01
		20/2	—	01	01
		20/3	—	01	01
		21	—	09	11
		22	—	06	83
		23	—	04	05
		24	—	01	01
		263/16/1	—	02	78
		16/2	—	09	61
		17	—	12	39
		18	—	12	40
		19	—	12	39
		20/1	—	08	09
		20/2	—	02	79
		264/16	—	12	39
		17	—	12	40
		18	—	12	39
		19	—	13	15
		20	—	09	61
		265/11	—	01	01
		12	—	03	29
		13	—	5	56
		14	—	08	35
		15	—	11	38
		16	—	01	01
		17/1	—	02	28
		17/2	—	01	52
		18	—	06	88
		19	—	09	11
		20	—	11	38
		266 11	—	11	38
		12	—	12	39
		13/1	—	03	29
		13/2	—	09	11
		14	—	12	39
		15	—	12	39
		257/11/2	—	12	14
		12	—	10	12
		13	—	07	84
		14	—	02	56
		15	—	05	28
		16/1	—	03	54
		16/2	—	02	28
		267/17/1	—	06	83
		18	—	04	55
		19	—	02	28
		20	—	—	25
		289/1	—	—	39
		2/2	—	12	40

1	2	3	4	5	6
Longowal Continued		3	—	12	13
		4	—	08	35
		5	—	03	29
		290/3	—	02	53
		4	—	09	11
		5	—	12	39
		7	—	03	29
		8	—	09	61
		9/1	—	03	29
		9/2	—	08	10
		10/1	—	12	39
		291/6	—	12	39
		7	—	11	39
		8	—	04	55
		9	—	—	51
		11/1	—	—	76
		11/2	—	11	63
		12	—	10	88
		291/13	—	07	84
		14	—	01	01
		292/11/1	—	04	55
		12	—	11	89
		13/2	—	12	39
		14	—	12	40
		15/2	—	06	07
		15/3	—	06	32
		19	—	—	51
		20	—	02	53
		293/15	—	—	25
		294/21/2	—	11	37
		22	—	13	67
		295/24	—	02	28
		25	—	07	33
		307/2	—	—	76
		3	—	08	35
		4	—	12	39
		—	—	12	39
		8	—	03	04
		308/1	—	12	39
		2	—	12	40
		3	—	11	89
		04	—	6	83
		308/9	—	02	02
		256/6	—	11	89
		7	—	12	39
Loha Khera	1	79/16	—	05	56
		17	—	—	51
		23	—	09	86
		24	—	11	89

1	2	3	4	5	6
Loha Khera continued	1	25	—	06	83
		80/16	—	12	14
		17	—	12	39
		18	—	12	89
		19/1	—	02	53
		19/2	—	07	33
		20	—	11	89
		21	—	—	50
		81/20	—	04	30
		88/2/2	—	01	52
		9	—	10	12
		10/1	—	12	39
		89/6	—	12	39
		7	—	12	15
		8	—	—	76
		9	—	06	83
		10	—	01	01
		89/11/1	—	11	38
		12	—	04	80
		90/11	—	10	88
		12	—	12	39
		13	—	12	40
		14	—	10	87
		15	—	12	39
		91/15	—	04	56
		16	—	07	84
		17	—	12	39
		18	—	04	55
Rattoke	76	8/22	—	01	01
		23	—	08	35
		24	—	11	89
		25/1	—	—	26
		25/3/2	—	05	56
		9/16	—	11	13
		17	—	07	33
		18	—	01	77
		21/2	—	12	39
		22	—	12	39
		23/2	—	10	37
		24	—	05	06
		25	—	01	01
		10/18/2	—	07	59
		19	—	12	39
		20	—	12	40
		15/1/1/1	—	11	63
		2	—	11	38
		3	—	04	05
		16/1/2	—	03	28

1	2	3	4	5
Rattoke continued	76	2/2	—	09 62
		3	—	12 39
		4	—	12 39
		5	—	12 40
		9	—	02 78
		10/1	—	08 35
		17/6/1	—	05 81
		6/3	—	04 55
		7	—	12 39
		8	—	08 60
Sahoke	82	6/8	—	03 79
		9/1	—	12 40
		10	—	09 35
		11/1	—	03 04
		7/15/1	—	02 53
		8/14	—	03 54
		15	—	06 07
		8/16	—	01 01
		17	—	02 02
		20	—	11 13
		9/16	—	— 75
		10/11/2	—	11 63
		12/1/2	—	— 25
		12/2/2	—	04 05
		18	—	13 91
		19/2	—	07 59
		11/11/1	—	03 54
		11/3	—	03 54
		12/2	—	12 39
		13	—	12 39
		14/1	—	04 56
		14/2	—	07 84
		15/1	—	01 52
		15/2	—	10 88
		12/11/2, 3	—	12 14
		12	—	12 39
		13	—	12 40
		14	—	12 40
		15	—	12 39
		13/15	—	04 30
		16	—	— 50
Mander Khurd	81	43/11	—	12 39
		12	—	11 63
		13	—	12 39
		14	—	12 40
		15	—	09 36
		44/13	—	01 01
		14	—	02 79
		15	—	05 31

1	2	3	4	5	6
Mander Khurd continued	81	17	—	03	79
		18	—	11	38
		19	—	12	39
		20	—	01	27
		45/16/1	—	11	13
		17	—	12	14
		18/1	—	09	11
		19/2	—	02	53
		21	—	11	63
		22/1	—	08	85
		23/2	—	03	29
		46/21	—	11	63
		22	—	09	36
		23/1	—	09	35
		23/2	—	03	04
		24	—	12	39
		46/25	—	12	39
		47/25	—	05	57
		50/11	—	05	06
		12	—	06	07
		13	—	07	34
		14/1	—	02	77
		14/2	—	07	59
		15	—	06	07
		16	—	01	26
		17	—	03	29
		18	—	05	06
		19	—	06	07
		20	—	07	33
		51/14	—	—	25
		15	—	02	79
		16	—	09	61
		17/2	—	12	14
		18/1	—	11	13
		19/1/2	—	07	84
		19/2/2	—	—	51
		20/1	—	11	13
		20/2	—	01	26
		52/16	—	12	40
		17	—	12	39
	81	52/18	—	12	39
		19	—	12	39
		20	—	12	39
		53/16	—	10	12

1	2	3	4	5	6
		17	—	06	83
		18	—	04	05
		19/2	—	—	50
		21/2	—	06	58
		21/1/2	—	01	26
		22	—	11	89
		23	—	08	35
		24	—	05	56
		25	—	02	27
		60/2/2	—	—	50
Total of Tehsil Burnpur	Total Fields	807	66	13	83

[No. 31015/2/90-ORI]

का० अ.० ११३.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि गुजरात राज्य में कांठला से पंजाब राज्य में भटिन्डा तक राजस्थान और हरियाणा में होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए।

और ऐसा प्रतीत होता है कि उक्त पाइप लाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना में उपाखण्ड अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः, अधः, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने में अपने आशय की घोषणा करती हैं।

उक्त अनुसूची में वर्णित भूमि में हितवद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने में आपत्ति लिखित रूप में श्री कृपाल सिंह, भूमि अर्जन अधिकारी और सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, कांठला-भटिन्डा पाइप लाइन परियोजना, सेक्टर-37-सी, समीचीन 189 चंडीगढ़ को कर सकेगा।

अनुसूची

तहसील : बरनाला जिला : संगरूर राज्य—पंजाब

नाम गांव	हदबस्त नं.	मुसर्गल नं. किला नं.	हेक्टेयर	आर.	वर्ग/एकर
1	2	3	4	5	6
अमपाल कला	79	108/21/1	—	11	38
		21/2	—	01	02
		22	—	12	39
		23	—	12	39
		34	—	12	40
		25	—	12	39
		109/21	—	12	40
		22	—	11	38
		23	—	12	40
		24	—	12	39
		25/1	—	08	35
		25/3	—	02	53
		110/21/1	—	01	52
		21/2	—	01	01
		22	—	04	55

1	2	3	4	5	6
असफल कला (जारी)		23	—	06	83
		24	—	09	11
		25	—	11	12
		111/25/1	—	—	25
		122/16/1	—	07	84
		16/2	—	04	04
		17	—	12	40
		18/1	—	01	26
		18/2	—	11	13
		122/19	—	11	13
		123/11/1	—	—	51
		12/2	—	06	83
		13	—	11	89
		14/1/1	—	01	29
		14/2	—	06	7
		15/1	—	01	01
		15/3	—	11	58
		19	—	03	29
		20	—	11	89
		124/12/2	—	—	51
		13/43	—	06	82
		14	—	11	89
		15/1	—	01	77
		15/2	—	08	35
		17	—	—	25
		18	—	05	57
		19/1	—	01	26
		19/2	—	10	63
		20	—	12	39
		125/3	—	01	77
		4	—	08	35
		5/1	—	02	02
		5/2	—	10	37
		7	—	04	05
		8	—	10	62
		9	—	12	40
		10	—	11	38
		126/1/1	—	05	06
		1/2	—	06	82
		2	—	12	39
		3	—	12	14
		4/1	—	—	76
		4/2	—	08	35
		5	—	12	14
		127/1	—	10	12
		2	—	07	84
		3/1	—	02	28
		3/2	—	03	29
		4	—	03	29
		5/1	—	01	01
कोट दूता	80	43/35	—	03	04

1	2	3	4	5
कॉट दूना—(जारे)		11/21	—	10 62
		22	—	12 40
		23	—	12 40
		24/1	—	05 36
		24/2	—	06 83
		25/1	—	11 89
		25/2	—	— 51
		45/20	—	02 02
		21/1	—	03 79
		21/3	—	03 29
		48/1	—	01 77
		49/1	—	12 40
		2	—	11 38
		3	—	08 85
		4	—	12 39
		5	—	08 35
		50/4	—	02 53
		5	—	09 61
		6	—	02 78
		7/1	—	06 83
		7/2	—	03 04
		8	—	12 39
		9	—	12 40
		10	—	12 39
		51/6/2	—	12 14
		7/2	—	08 35
		8	—	02 02
		11	—	12 40
		12	—	12 39
		13	—	10 37
		52/12	—	— 76
		13/2	—	07 33
		17	—	06 32
		14/1	—	03 04
		15/1	—	09 61
		15/2	—	02 78
		53/16	—	12 39
		17/1	—	12 39
		18	—	11 63
		19	—	05 06
		20	—	— 25
		21	—	12 14
		22	—	07 33
		23	—	— 76
		54/24/2	—	12 39
		25	—	12 40
		23/1	—	12 39
		21/2	—	12 40
		22	—	11 38
		55/21	—	12 39
		22/1	—	06 06
		22/2	—	05 56
		23/1	—	06 07

1	2	3	4	5	6
कोट वून (जावी)		23/2	—	06	07
		24	—	12	40
		25	—	12	39
		56/21	—	12	40
		22	—	12	39
		23	—	12	39
		24	—	12	40
		25	—	12	40
		58/21	—	12	39
		22	—	12	40
		23	—	12	39
		24	—	12	39
		25/2	—	12	39
		58/21	—	04	56
		22	—	12	39
		23	—	12	40
		24	—	12	39
		25	—	12	40
		51/14	—	04	05
		15	—	—	25
सैमी फसा	75	702	—	14	16
		712	—	12	40
		713	—	12	40
		714	—	12	39
		722	—	03	28
		727	—	07	34
		728	—	10	88
		736	—	11	63
		738	—	09	11
		739	—	12	39
		753	—	02	78
		765	—	12	39
		767	—	12	39
		768	—	12	40
		864	—	05	31
		865	—	14	92
		866	—	16	95
		871	—	11	37
		2195	—	12	40
		2196	—	11	89
		2170	—	10	62
		2171	—	04	56
		2172	—	—	25
		2197	—	05	56
		2198	—	—	51
		2153	—	12	39
		2154	—	12	39
		2158	—	12	40
		2139	—	12	14
		2140	—	07	83
		2141	—	01	01
		2398	—	11	38
		2399	—	04	56
		2401	—	—	25
		2404	—	12	49

(1)	(2)	(3)	(4)	(5)	(6)
मैत्री फला (जारा)		2408	---	12	40
		2409	---	11	63
		2098/2	---	16	44
		2099	---	16	44
		2110	---	08	35
		2111		12	39
		2112		12	39
		2121	---	---	25
		2122	---	12	14
		2128	---	12	39
फरवरी कला	3	339/17	---	05	82
		18	---	06	07
		19	---	11	89
		20	---	11	13
		340/16	---	10	12
		17	---	11	13
		18	---	---	25
		21/1	---	05	06
		21/2	---	07	33
		22	---	12	39
		23	---	12	13
		341/21	---	12	59
		22	---	12	40
		23	---	12	40
		24	---	12	39
		25	---	12	39
		342/24	---	06	58
		25	---	12	39
		343/21	---	09	11
		22	---	11	13
		23	---	04	05
		24	---	03	79
		344/21	---	02	23
		22	---	04	55
		23/2	---	07	08
		24	---	04	05
		25	---	07	34
		345/25	---	---	25
		352/5	---	06	07
		353/1/1	---	05	82
		1/2	---	06	57
		2	---	12	39
		3	---	12	39
		4	---	12	40
		5	---	12	39
		354/1	---	12	40
		2	---	12	39
		410/2	---	07	84
		354/4/2	---	03	29
		5	---	12	39
		355/1	---	12	40
		2/1	---	06	07

(1)	(2)	(3)	(4)	(5)	(6)
करवा कला—(आर)	2/2		—	06	07
	3		—	12	39
	4		—	12	39
	5		—	12	40
	356/1		—	11	38
	2		—	12	39
	3		—	12	39
	4		—	12	39
	5/2		—	12	39
	357/1		—	12	39
	2/1		—	06	07
	2/2		—	06	07
	3		—	12	40
	4		—	12	39
	5		—	12	39
	358/1		—	12	40
	2		—	12	40
	3		—	12	39
	4		—	11	38
	5		—	12	14
	359/1		—	10	12
	2		—	07	84
	3/1		—	04	81
	3/2		—	01	26
	4/1		—	01	77
	4/2		—	03	29
	5		—	05	06
	360/1		—	03	29
	2		—	05	0

[संख्या — 31015/2/90 का अर I]

S.O. 833.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962(50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Kirpal Singh, Land Acquisition Officer and Competent Authority, Indian Oil Corporation Ltd., Kandla-Bhatinda Pipeline Project, Sector 37-C, SCO 178 Chandigarh.

SCHEDULE

Tehsil : Barnala		District : Sangrur		State : Punjab		
Name of Village	Hadbast No.	Survey No./ Khasra No./ Mustateel No. Killa No.	Area			
			Hectare	Are	Centi Are	
1	2	3	4	5	6	
Aspal Kalan	79	108/21/1	—	11	38	
		21/2	—	01	02	
		22	—	12	39	
		23	—	12	39	
		24	—	12	40	
		25	—	12	39	
		109/21	—	12	40	
		22	—	11	38	
		23	—	12	40	
		24	—	12	39	
		25/1	—	08	35	
		25/2	—	02	53	
		110/21/1	—	01	52	
		21/2	—	01	01	
		22	—	04	55	
		23	—	06	83	
		24	—	09	11	
		25	—	11	12	
		111/25/1	..	—	25	
		122/16/1	—	07	84	
		16/2	..	04	04	
		17	—	12	40	
		18/1	—	01	26	
		18/2	—	11	13	
		122/19	—	11	13	
		123/11/1	—	—	51	
		12/2	—	06	83	
		13	—	11	98	
		14/1/1	—	04	29	
		14/2	—	06	57	
		15/1	—	01	01	
		15/3	—	11	58	
		19	—	03	29	
		20	—	11	89	
		124/12/2	—	—	51	
		13/1/3	—	06	82	
		14	—	11	89	
		15/1	—	01	77	

1	2	3	4	5	6
Aspol Kalan—(contd.)	79	15/2	—	08	35
		17	—	—	25
		18	—	05	57
		17/1	—	01	26
		19/2	—	10	63
		20	—	12	39
		125/3	—	01	77
		4	—	08	35
		5/1	—	02	02
		5/2	—	10	37
		7	—	04	05
		8	—	10	62
		9	—	12	40
		10	—	11	38
		126/1/1	—	05	06
		1/2	—	06	82
		2	—	12	39
		3	—	12	14
		4/1	—	—	76
		4/2	—	08	35
		5	—	12	14
		127/1	—	10	12
		2	—	07	84
		3/1	—	02	28
		3/2	—	03	29
		4	—	03	29
		5/1	—	01	01
Kot Duna	80	43/25	—	03	04
		44/21	—	10	62
		22	—	12	40
		23	—	12	40
		24/1	—	05	56
		24/2	—	06	83
		25/1	—	11	89
		25/2	—	—	51
		45/20	—	02	02
		21/1	—	03	79
		21/3	—	03	29
		48/1	—	01	77
		49/1	—	12	40
		2	—	11	38
		3	—	08	85
		4	—	12	39
		5	—	08	35
		50/4	—	02	53
		5	—	09	61
		6	—	02	78
		7/1	—	06	83
		7/2	—	03	04
		8	—	12	39

1	2	3	4	5	6
		9	—	12	40
		10	—	12	39
		51/6/2	—	12	14
		7/2	—	08	35
		8	—	02	02
		11	—	12	40
		12	—	12	39
		13	—	10	37
		52/12	—	—	76
		4/2	—	07	33
		17	—	06	32
		14/1	—	03	04
		15/1	—	09	61
		15/2	—	02	78
		53/16	—	12	39
		17/1	—	12	39
		18	—	11	63
		19	—	05	06
		20	—	—	25
		21	—	12	14
		22	—	07	33
		23	—	—	76
		54/24/2	—	12	39
		25	—	12	40
		23/1	—	12	39
		21/2	—	12	40
		22	—	11	38
		55/21	—	12	39
		22/1	—	06	06
		22/2	—	05	56
		23/1	—	06	07
		23/2	—	06	07
		24	—	12	40
		25	—	12	39
		56/21	—	12	40
		22	—	12	39
		23	—	12	39
		24	—	12	40
		25	—	12	40
		57/21	—	12	39
		22	—	12	40
		23	—	12	39
		24	—	12	39
		25/2	—	12	39
		58/21	—	04	56
		22	—	12	39
		23	—	12	40
		24	—	12	39
		25	—	12	40
		51/14	—	04	05
		15	—	—	25

1	2	3	4	5	6
Bhani Fatcha	75	702	—	14	16
		712	—	12	40
		713	—	12	40
		714	—	12	39
		722	—	03	28
		727	—	07	34
		728	—	10	88
		736	—	11	63
		738	—	09	11
		739	—	12	39
		753	—	02	78
		765	—	12	39
		767	—	12	39
		678	—	12	40
		864	—	05	31
		865	—	14	92
		866	—	16	95
		871	—	11	37
		2195	—	12	40
		2196	—	11	89
		2170	—	10	62
		2171	—	04	56
		2172	—	—	25
		2197	—	05	56
		2198	—	—	51
		2153	—	12	39
		2154	—	12	39
		2158	—	12	40
		2139	—	12	14
		2140	—	07	83
		2141	—	01	01
		2398	—	11	38
		2399	—	04	65
		2401	—	—	25
		2404	—	12	39
		2408	—	12	40
		2409	—	11	63
		2098/2	—	16	44
		2099	—	16	44
		2110	—	08	35
		2111	—	12	39
		2112	—	12	39
		2121	—	—	25
		2122	—	12	14
		2128	—	12	39
Pakho Kalan	53	339/17	—	05	82
		18	—	06	07
		19	—	11	89
		20	—	11	13

1	2	3	4	5	6
		340/16	—	10	12
		17	—	11	13
		18	—	—	25
		21/1	—	05	06
		21/2	—	07	33
		22	—	12	39
		23	—	12	13
		341/21	—	12	39
		22	—	12	40
		23	—	12	40
		24	—	12	39
		25	—	12	39
		342/24	—	06	58
		25	—	12	39
		343/21	—	09	11
		22	—	11	13
		23	—	04	05
		24	—	03	79
		344/21	—	02	28
		22	—	04	55
		23/2	—	07	08
		24	—	04	05
		25	—	07	34
		345/25	—	—	25
		352/5	—	06	07
		353/1/1	—	05	82
		1/2	—	06	57
		2	—	12	39
		3	—	12	39
		4	—	12	40
		5	—	12	39
		354/1	—	12	40
		2	—	12	39
		410/2	—	07	84
		354/4/2	—	03	29
		5	—	12	39
		355/1	—	12	40
		2/1	—	06	07
		2/2	—	06	07
		3	—	12	39
		4	—	12	39
		5	—	12	40
		356/1	—	11	38
		2	—	12	39
		3	—	12	39
		4	—	12	39
		5/2	—	12	39
		357/1	—	12	39
		2/1	—	06	07

1	2	3	4	5	6
		2/2	—	06	07
		3	—	12	40
		4	—	12	39
		5	—	12	39
		358/1	—	12	40
		2	—	12	40
		3	—	12	39
		4	—	11	38
		5	—	12	14
		359/1	—	10	12
		2	—	07	84
		3/1	—	04	81
		3/2	—	01	26
		4/1	—	01	77
		4/2	—	03	29
		5	—	05	06
		360/1	—	03	29
		2	—	01	01

[No.R. 31015/2/90—ORI]

का. आ. 834.—केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि गुजरात राज्य में काठला में पंजाब राज्य में अटिस्टा तक राजस्थान और हरियाणा में होकर पैट्रोलियम के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए।

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए हम अधिसूचना से उपायुक्त अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है अतः अब, केंद्रीय सरकार, पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1961 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितवद्ध कोई व्यक्ति रागपत में अथाप्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने में आपत्ति लिखित रूप में श्री कृपाल सिंह भूमि अर्जन अधिकारी और मक्षम प्राधिकारी, इंडियन ऑयल कार्पोरेशन लिमिटेड काठला-अटिस्टा पाइपलाइन परियोजना सेक्टर 37-सी एस.सी. ओ. 178 चंडीगढ़ को कर सकेगा।

अनुसूची

तहसील --समाधा		जिला --पटियासा		राज्य--पंजाब	
नाम गांव	हैक्टर नं.	मुस्लिम न. किला नं.	हैक्टर	क्षेत्रफल आर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)
बीबन	187	1/ 22 चिन	---	5	81
		23 "	---	12	65
		4/21 "	---	12	14
		22 "	---	4	5
		5/10 "	---	11	89
		11 "	---	2	53
		12 "	---	14	42
		13 "	---	2	53

1	2	3	4	5	6
		17/1	---	11	65
		18	---	11	38
		24/1	---	2	78
		25	---	12	64
		6/3	---	2	28
		4	---	14	41
		5	---	4	05
		6	---	9	10
		12/1	---	---	51
		8	---	7	33
		9/2	---	12	65
		10	---	12	39
		13	---	13	41
		17	---	12	90
		18	---	0	76
		24	---	7	59
		25	---	6	58
		11/2	---	7	7
		3	---	12	90
		4	---	14	42
		5	---	9	35
		6	---	3	29
सीबन	187	14/1	---	1	26
		10	---	12	14
		11	---	---	51
		15/5	---	12	64
		6	---	---	51
		44/2/1	---	8	9
		2/2	---	---	51
		3/2	---	3	3
		8/1	---	13	41
		13/2	---	5	56
		14	---	6	7
		17	---	12	90
		24/1	---	3	4
		25/1	---	7	33
		52/5/1	---	13	15
		6	---	1	52
		53/1/1	---	---	25
		10/1/1	---	6	57
		10/1/2	---	3	4
		10/2	---	1	1
		11/1	---	10	12
		12/1/1	---	3	4
		19	---	2	39
		22/1	---	6	33
		23/2	---	1	26
		23/2/2	---	4	55
		61/21	---	---	51
		62/3	---	12	65
		7/2	---	7	58

(1)	(2)	(3)	(4)	(5)	(6)
		8	--	5	56
		14	--	12	65
		16	--	8	85
		17	--	3	79
		25/1	--	3	54
		25/2	--	9	11
		63/5/2	--	1	1
		69/1/2	--	10	37
		9/1	--	--	51
		10/1 Min.	--	10	87
		11	--	--	76
		12	--	13	91
		18	--	11	89
		19	--	3	29
		23	--	6	32
		24	--	6	82
		74/10	--	3	29
		11	--	14	15
		12	--	--	51
		19	--	13	15
		20	--	1	52
		22	--	3	29
		23	--	4	55
		75/4/1	--	9	11
		5	--	6	32
		6	--	11	63
		78/13	--	13	92
		84/1	--	8	60
		96/1	--	6	7
		100	--	1	52
		59/10	--	0	51
		11	--	7	84
		12	--	3	79
		19	--	13	40
		22	--	5	6
		23	--	7	84
		67/21	--	9	60
		68/3	--	13	15
		4	--	0	51
		7	--	12	14
		8	--	1	27
		14	--	8	85
		15	--	3	29
		16	--	13	41
		25	--	3	4
		70/1	--	12	39
		2	--	--	76
		9	--	12	90

(1)	(2)	(3)	(4)	(5)	(6)
		12/1	--	5	65
		13	--	6	83
		18	--	12	56
		23	--	--	76
		24	--	12	39
		75/11	--	8	60
		20	--	12	90
		19	--	--	51
		21	--	1	26
		22	--	8	90
		76/4	--	10	12
		5	--	3	4
		76/6	--	14	16
		15	--	3	4
		84	--	1	1
ऊगोदे	186	17/24	--	6	82
		31/10	--	--	76
		11	--	14	41
		19	--	11	14
		20	--	3	4
		22	--	8	9
		23/1	--	3	53
		23/2	--	--	76
		33/3	--	13	15
		4/1	--	1	1
		6/2	--	6	32
		7/1	--	7	8
		7/2	--	7	8
		8	--	--	51
		15	--	8	9
		34/11	--	10	88
		18	--	3	79
		19	--	14	41
		10	--	3	1
		13	--	10	82
		14	--	9	56
		32/4	--	10	14
		5	--	4	5
		6	--	13	16
		15	--	--	76
		43/21	--	11	64
		44/1	--	1	52
		9	--	9	10
		10/1	--	10	62
		12	--	6	7
		13	--	13	15
		14	--	1	1
		16	--	2	78
		17	--	14	67
		25	--	7	84
		45/4/1	--	5	56

(1)	(2)	(3)	(4)	(5)	(6)
		4/2	—	1	77
		5/1	—	—	51
		5/1	—	13	91
		6/1	—	—	51
		50/1	—	2	28
		2	—	14	67
		3	—	3	79
		7	—	3	28
		8	5	5	81
		14/2	—	4	5
		15/1	—	13	91
		16	—	—	51
		51/11/1	—	1	26
		19/1/1	—	5	37
		20	—	8	61
		64	—	1	1
		68	—	3	4
		73	—	2	28
		74	—	3	4
		77	—	5	56
		108	—	2	53
		120	—	1	2
		121	—	—	51
		122	—	1	52
		123	—	—	51
		124	—	1	1
कुलवार	185	14/2	—	12	14
		3	—	—	76
		7	—	1	1
		8	—	14	92
		13	—	—	51
		14	—	14	16
		15	—	3	4
		16	—	12	14
		15/20	—	7	33
		21	—	7	8
		22	—	10	12
		22/11/2	—	5	31
		19	—	7	8
		20	—	10	37
		22	—	8	85
		23/2	—	4	81
		3	—	13	41
		4/1	—	—	—
		6	—	1	1
		7	—	14	42
		37/25/1	—	11	13
		23/14	—	—	51
		15	—	12	90
		31/3	—	8	85
		4	—	6	7
		6	—	3	29
		7	—	12	14

(1)	(2)	(3)	(4)	(5)	(6)
कुलमान		15	—	12	90
		16	—	—	26
		32/11	—	2	1
		19	—	—	51
		20	—	14	67
		21	—	1	1
		22	—	14	67
		23	—	—	25
		37/12	—	11	13
		13	—	12	14
		14	—	4	5
		17	—	12	89
		19	—	—	—
		24	—	3	28
		38/14	—	—	51
		17	—	12	90
		18	—	12	39
		19	—	12	39
		20/2	—	11	64
	185	39/2	—	1	52
		3	—	13	66
		7	—	12	14
		8	—	3	29
		14/2	—	5	56
		15/2	—	9	10
		16	—	7	9
		50/5	—	9	36
		51/1	—	3	29
		9/1	—	—	31
		10/2	—	12	39
		11	—	1	26
		12	—	12	39
		18	—	8	10
		19	—	7	9
		23	—	11	63
		211	—	1	52
		212	—	1	52
		262	—	12	90
		263	—	12	14
		264	—	5	6
बधिर	183	55/13	—	5	6
		14	—	5	31
		16	—	10	12
		17	—	4	90
		25/2	—	5	32
		56/21/2	—	13	91
		22/1	—	—	25
		58/20	—	1	—
		21	—	14	17
		22	—	3	4

(1)	(2)	(3)	(4)	(5)	(6)
बधा--जारी	183	59/1/2	---	1	52
		2/1	---	12	39
		3/2	---	---	76
		7	---	1	1
		8	---	15	19
		9	---	1	77
		14	---	15	---
		59/15	---	1	76
		16	---	14	93
		17	---	---	51
		25	---	---	51
		249	---	2	28
		250 मिन	---	8	34
		27/11 मिन	---	---	51
		20 मिन	---	10	15
दबन	184	21/1 मिन	---	---	29
		21/2 मिन	---	4	4
		22 मिन	---	8	15
		28/15 मिन	---	12	90
		18 मिन	---	1	77
		21/2 मिन	---	12	13
		3 मिन	---	3	4
		8/1 मिन	---	5	93
		8/2 मिन	---	5	82
		9 मिन	---	---	25
		13 मिन	---	1	29
		14 मिन	---	10	62
		16 मिन	---	6	83
		17 मिन	---	8	60
		25 मिन	---	10	18
		48/1 मिन	---	13	40
		9 मिन	---	6	58
		10 मिन	---	7	58
		12/1 मिन	---	6	58
		12/2 मिन	---	5	56
		13 मिन	---	1	26
		18 मिन	---	13	41
		20 मिन	---	5	56
		24 मिन	---	8	60
		49/3 मिन	---	3	4
		54/4 मिन	---	11	13
		5 मिन	---	3	4
		6 मिन	---	17	90
		15 मिन	---	3	4
		55/11 मिन	---	9	36
		19/2 मिन	---	3	54
		20 मिन	---	8	60
		22 मिन	---	13	66
		71/20 मिन	---	---	25
		21/1 मिन	---	---	51
		21/2 मिन	---	11	12
		72/2 मिन	---	---	25
		2 मिन	---	13	41

(1)	(2)	(3)	(4)	(5)	(6)
15	7/2	8	—	13	65
16	8	5	—	—	76
17	11	10	—	4	81
18	11	10	—	10	12
19	12	6	—	1	52
20	11	8	—	1	1
21	16	13	—	1	1
22	15	13	—	—	25
23	14	10	—	—	25
24	12	8	—	—	61
25	12	8	—	1	—
26	11	7	—	—	51
27	11	6	—	—	51
28	10	5	—	2	4
29	10	4	—	3	10
30	9	3	—	8	79
31	8	2	—	3	28
32	7	1	—	2	76
33	6	—	—	—	67
34	5	—	—	14	8
35	4	—	—	7	26
36	3	—	—	1	93
37	2	—	—	14	25
38	1	—	—	—	14
39	—	—	—	12	66
40	—	—	—	5	11
41	—	—	—	9	88
42	—	—	—	10	8
43	—	—	—	7	63
44	—	—	—	11	42
45	—	—	—	14	5
46	—	—	—	4	1
47	—	—	—	1	1
48	—	—	—	1	91
49	—	—	—	14	81
50	—	—	—	3	29
51	—	—	—	11	64
52	—	—	—	2	78
53	—	—	—	—	25
54	—	—	—	5	6
55	—	—	—	9	61
56	—	—	—	6	7
57	—	—	—	7	8
58	—	—	—	5	82
59	—	—	—	6	57
60	—	—	—	8	85
61	—	—	—	10	37
62	—	—	—	2	2
63	—	—	—	13	92
64	—	—	—	—	53
65	—	—	—	11	64
66	—	—	—	5	56
67	—	—	—	8	15
68	—	—	—	—	—
69	—	—	—	—	—
70	—	—	—	—	—
71	—	—	—	—	—
72	—	—	—	—	—
73	—	—	—	—	—
74	—	—	—	—	—
75	—	—	—	—	—
76	—	—	—	—	—
77	—	—	—	—	—
78	—	—	—	—	—
79	—	—	—	—	—
80	—	—	—	—	—
81	—	—	—	—	—
82	—	—	—	—	—
83	—	—	—	—	—
84	—	—	—	—	—
85	—	—	—	—	—
86	—	—	—	—	—
87	—	—	—	—	—
88	—	—	—	—	—
89	—	—	—	—	—
90	—	—	—	—	—
91	—	—	—	—	—
92	—	—	—	—	—
93	—	—	—	—	—
94	—	—	—	—	—
95	—	—	—	—	—
96	—	—	—	—	—
97	—	—	—	—	—
98	—	—	—	—	—
99	—	—	—	—	—
100	—	—	—	—	—

(1)	(2)	(3)	(4)	(5)	(6)
धरने -- गारी	184	12	—	—	76
		13	—	11	13
		17	—	7	84
		18	—	4	80
		24	—	11	63
		25	—	2	28
बहुमन मजरा	129	14/10	—	10	12
मलयास उवालापुज		11	—	8	9
		14/12	—	7	34
		18	—	1	52
		19	—	12	14
		23/1	—	13	66
		17/3/2	—	5	6
		4	—	9	36
		7/1	—	5	6
		7/2	—	6	83
		57	—	1	26
		17/6/2	—	6	83
खेरी नाथीया	123	40/19	—	5	31
		20	—	10	62
		22	—	8	85
		23	—	5	82
		43/3	—	10	88
		4	—	6	32
		6/2	—	8	9
		7	—	8	60
		15	—	6	58
		44/11	—	9	86
		19	—	10	88
		20/1	—	5	56
		47/22	—	4	30
		23	—	11	63
		52/10	—	—	25
		11	—	12	39
		19/2	—	7	8
		20	—	6	83
		22	—	12	91
		23/1	—	1	26
		53/3	—	3	29
		4	—	11	38
		6	—	11	16
		7	—	3	4
		15	—	2	1
		58/2	—	—	51
		3/1	—	3	29
		3/2	—	7	8
		7	—	8	80
		14	—	10	38
		15	—	3	54
		16	—	14	16
		25	—	2	71
		59/20	—	—	08
		21	—	17	63
		63/1	—	7	33
		2/2	—	7	8
		8	—	1	1

1	2	3	4	5	6
	9/2	—	12	65	
	12	—	—	25	
	13	—	13	16	
	17	—	8	86	
	18	—	5	31	
	24/1	—	—	76	
	24/2	—	9	86	
	25	—	3	79	
	68/5	—	13	67	
	6	—	5	31	
	85	—	—	51	
	86	—	2	53	
	180	—	1	1	
	184	—	1	1	
कुल क्षेत्रफल सीधन का			29	15	77

[सं अर-31015/2/90-ओ अर. I]

S.O. 834.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Kirpal Singh, Land Acquisition Officer and Competent Authority, Indian Oil Corporation Ltd., Kandla-Bhatinda Pipeline Project, Sector 37-C, SCO 178 Chandigarh.

SCHEDULE

Tehsil : Samana			District : Patiala;		State Punjab
Name of Village	Hadbast No.	Survey No./ Khasra No./ Mustateel No. Killa No.	AREA		
			Hectare	Are	Centi Area
1	2	3	4	5	6
Seona	187	1/22 Min	—	5	81
		23 "	—	12	65
		4/21 "	—	12	14
		22 "	—	4	5

1	2	3	4	5	6
Seona—Contd.	187	5/10 Min	—	11	89
		11 "	—	2	53
		12 "	—	14	42
		13 "	—	2	53
		17/1	—	11	65
		18	—	11	38
		24/1	—	2	78
		25	—	12	64
		6/3	—	2	28
		4	—	14	41
		5	—	4	05
		6	—	9	10
		12/1	—	—	51
		8	—	7	33
		9/2	—	12	65
		10	—	12	39
		13	—	13	41
		17	—	12	90
		18	—	0	76
		24	—	7	59
		25	—	6	58
		11/2	—	7	7
		3	—	12	90
		4	—	14	42
		5	—	9	35
		6	—	3	29
		14/1	—	1	26
		10	—	12	14
		11	—	—	51
		15/5	—	12	64
		6	—	—	51
		44/2/1	—	8	9
		2/2	—	—	51
		3/2	—	3	3
		8/1	—	13	41
		13/2	—	5	56
		14	—	6	7
		17	—	12	90
		24/1	—	3	4
		25/1	—	7	33
		52/5/1	—	13	15
		6	—	1	52
		53/1/1	—	—	25
		10/1/1	—	6	57
		10/1/2	—	3	4
		10/2	—	1	1
		11/1	—	10	12
		12/1/1	—	3	4
		19	—	12	39
		22/1	—	6	33

1	2	3	4	5	6
Seona—Contd.		22/2	—	1	26
		23/2/2	—	4	55
		61/21	—	—	51
		62/3	—	12	65
		7/2	—	7	58
		8	—	5	56
		14	—	12	65
		16	—	8	85
		17	—	3	79
		25/1	—	3	54
		25/2	—	9	11
		68/5/2	—	1	1
		69/1/2	—	10	37
		9/1	—	—	51
		10/1 Min.	—	10	87
		11 „	—	—	76
		12	—	13	91
		18	—	11	89
		19	—	3	29
		23	—	6	32
		24	—	5	82
		74/10	—	3	29
		11	—	14	15
		12	—	—	51
		19	—	13	15
		20	—	1	52
		22	—	3	29
		23	—	4	55
		75/4/1	—	9	11
		5	—	6	32
		6	—	11	63
		78/13	—	13	92
		84	—	8	60
		96/1	—	6	7
		100	—	1	52
Badshapur	188	59/10	—	0	51
		11	—	7	84
		12	—	3	79
		19	—	13	40
		22	—	5	6
		23	—	7	84
		67/21	—	9	60
		68/3	—	13	15
		4	—	0	51
		7	—	12	14
		8	—	1	27
		14	—	8	85
		15	—	3	29
		16	—	13	41
		25	—	3	4
		70/1	—	12	39

1	2	3	4	5	6
Badshapur—Contd.	188	2	—	—	76
		9	—	12	90
		12/1	—	5	56
		13	—	6	83
		18	—	12	65
		23	—	—	76
		24	—	12	39
		75/11	—	8	60
		20	—	12	90
		19	—	—	51
		21	—	1	26
		22	—	8	9
		76/4	—	10	12
		5	—	3	4
		76/6	—	14	16
		15	—	3	4
		84	—	1	1
ugo Ke	186	17/24	—	6	82
		31/10	—	—	76
		11	—	14	41
		19	—	11	14
		20	—	3	4
		22	—	8	9
		23/1	—	3	53
		23/2	—	—	76
		33/3	—	13	15
		4/1	—	1	1
		6/2	—	6	32
		7/1	—	7	8
		7/2	—	7	8
		8	—	—	51
		15	—	8	9
		34/11	—	10	88
		18	—	3	79
		19	—	14	41
		20	—	3	4
		23	—	10	62
		24	—	9	36
		32/4	—	10	12
		5	—	4	5
		6	—	13	16
		15	—	—	76
		43/21	—	11	64
		44/1	—	1	52
		9	—	9	10
		10/1	—	10	62
		12	—	6	7
		13	—	13	15
		14	—	1	1
		16	—	2	78

1	2	3	4	5	6
Ugo Ke. (Concl'd.)	186	17	—	14	67
		25	—	7	84
		45/4/1	—	5	56
		4/2	—	1	77
		5/1	—	—	51
		5/2	—	13	91
		6/1	—	—	51
		50/1	—	2	28
		2	—	14	67
		3	—	3	79
		7	—	3	28
		8	—	5	81
		14/2	—	4	5
		15/1	—	13	91
		16	—	—	51
		51/11/1	—	1	26
		19/1/1	—	5	37
		20	—	8	61
		64	—	1	1
		68	—	3	4
		73	—	2	28
		74	—	3	4
		77	—	5	56
		108	—	2	53
		120	—	1	2
		121	—	—	51
		122	—	1	52
		123	—	—	51
		124	—	1	1
Kul Banu.	185	14/2	—	12	14
		3	—	—	76
		7	—	1	1
		8	—	14	92
		13	—	—	51
		14	—	14	16
		15	—	3	4
		16	—	12	14
		15/20	—	7	33
		21	—	7	8
		22	—	10	12
		22/11/2	—	5	31
		19	—	7	8
		20	—	10	37
		22	—	8	85
		23/2	—	4	81
		3	—	13	41
		4/1	—	—	—
		6	—	1	1
		7	—	14	42
		37/25/1	—	11	13
		23/14	—	—	51

1	2	3	4	5	6
Kul Banu (concl'd.	185	15	—	12	90
		31/3	—	8	85
		4	—	6	7
		6	—	3	29
		7	—	12	14
		15	—	12	90
		16	—	—	26
		32/11	—	2	1
		19	—	—	51
		20	—	14	67
		21	—	1	1
		22	—	14	67
		23	—	—	25
		37/12	—	11	13
		13	—	12	14
		14	—	4	5
		17	—	12	89
		19	—	—	51
		24	—	3	28
		38/14	—	—	51
		17	—	12	90
		18	—	12	39
		19	—	12	39
		20/2	—	11	63
		39/2	—	1	52
		3	—	13	66
		7	—	12	14
		8	—	3	29
		14/2	—	5	56
		15/2	—	9	10
		16	—	7	9
		50/5	—	9	36
		51/1	—	3	29
		9/1	—	—	51
		10/2	—	12	39
		11	—	1	26
		12	—	12	39
		18	—	8	10
		19	—	7	9
		23	—	11	63
		211	—	1	52
		212	—	1	52
		262	—	12	90
		263	—	12	14
		264	—	5	6
Ghagga	183	55/13	—	5	6
		14	—	5	31
		16	—	10	12
		17	—	4	80
		25/2	—	5	32

1	2	3	4	5	6
Ghagga (Concl'd.)	183	56/21/2	—	13	91
		22/1	—	—	25
		58/20	—	1	—
		21	—	14	17
		22	—	3	4
		59/1/2	—	1	52
		2/1	—	12	39
		3/2	—	—	76
		7	—	1	1
		8	—	15	18
		9	—	1	77
		14	—	15	18
		59/15	—	1	26
		16	—	14	93
		17	—	—	51
		25	—	—	51
		249	—	2	28
		250 Min	—	8	34
Dedna.	184	27/11 „	—	—	51
		20 „	—	13	15
		21/1 „	—	3	29
		21/2 „	—	4	4
		22 „	—	8	35
		28/15 „	—	12	90
		16 „	—	1	77
		31/2 „	—	12	13
		3 „	—	3	4
		8/1 „	—	5	83
		8/2 „	—	5	82
		9 „	—	—	25
		13 „	—	3	29
		14 „	—	10	62
		16 „	—	6	83
		17 „	—	8	60
		25 „	—	10	36
		48/1 „	—	13	40
		9 „	—	6	58
		10 „	—	7	58
		12/1 „	—	6	58
		12/2 „	—	5	56
		13 „	—	1	26
		18 „	—	13	41
		23 „	—	5	56
		24 „	—	8	60
		49/5 „	—	3	4
		54/4 „	—	11	13
		5 „	—	3	4
		6 „	—	13	90
		15 „	—	3	4

1	2	3	4	5	6
Dedna (Contd.)	184	55/11 Min	..	9	36
		19/2 „	—	3	54
		20 „	—	8	60
		22 „	—	13	66
		71/20 „	—	—	25
		21/1 „	—	—	51
		21/2 „	—	11	12
		72/2 „	—	—	25
		3 „	—	13	41
		7/2 „	—	8	35
		8 „	—	5	56
		14 „	—	11	64
		15 „	—	2	53
		16 „	—	13	92
		25 „	—	2	2
		91/10 „	—	10	37
		11 „	—	8	85
		12 „	—	6	57
		18/2 „	—	5	82
		19/1 „	—	7	8
		19/2	—	6	7
		23 „	—	9	61
		24 „	—	5	6
		92/4 „	—	—	25
		5/1 „	—	2	78
		5/2 „	—	11	64
		6 „	—	3	29
		95/4 „	—	4	81
		5 „	—	13	91
		6 „	—	1	1
		96/1/1 „	—	1	1
		9 „	—	4	5
		10 „	—	14	42
		12 „	—	11	63
		13 „	—	7	8
		17 „	—	10	88
		96/18	..	9	11
		24/2	—	5	56
		25/2	—	12	14
		97/21	—	—	25
		106/1	—	14	93
		2	—	1	26
		8/2	—	7	8
		9	—	14	67
		10	—	—	76
		107/5	—	2	28
		111	—	3	79
		112	—	8	10
		113	—	3	4
		127	—	2	53
		180	—	—	51

1	2	3	4	5	6
Dedna (Contd.)		191	—	1	2
		194	—	—	51
		209	—	—	25
		227	—	—	25
		235	—	1	1
		239	—	1	1
		244	—	1	52
		77/1	—	10	12
		2	—	4	81
		8/2	—	—	76
		9	—	13	65
		12	—	—	76
		13	—	11	13
		17	—	7	84
		18	—	4	80
		24	—	11	63
		25	—	2	28
Bhraman Majra Alias Jawala Pur.	129	14/10	—	10	12
		11	—	8	9
		14/12	—	7	34
		18	—	1	52
		19	—	12	14
		23/1	—	13	66
		17/3/2	—	5	6
		4	—	9	36
		7/1	—	5	6
		7/2	—	6	83
		37	—	1	26
		17/6/2	—	6	83
Kherif Naghia.	128	40/19	—	5	31
		20	—	10	62
		22	—	8	85
		23	—	5	82
		43/3	—	10	88
		4	—	6	32
		6/2	—	8	9
		7	—	8	60
		15	—	6	58
		44/11	—	9	86
		19	—	10	88
		20/1	—	5	56
		47/22	—	4	30
		23	—	11	63
		52/10	—	—	25
		11	—	12	39
		19/2	—	7	8
		20	—	6	83
		22	—	12	91
		23/1	—	1	26
		53/3	—	3	29

1	2	3	4	5	6
Kheri Naghia—Concld.	128	4	—	11	38
		6	—	14	16
		7	—	3	4
		15	—	2	1
		58/2	—	—	51
		3/1	—	3	29
		3/2	—	7	8
		7	—	8	85
		14	—	10	38
		15	—	3	54
		16	—	14	16
		25	—	2	71
		59/20	—	—	08
		21	—	11	63
		63/1	—	7	33
		2/2	—	7	8
		8	—	1	1
		9/2	—	12	65
		12	—	—	25
		13	—	13	16
		17	—	8	86
		18	—	5	31
		24/1	—	—	76
		24/2	—	9	86
		25	—	3	79
		68/5	—	13	67
		6	—	5	31
		85	—	—	51
		86	—	2	53
		180	—	1	1
		184	—	1	1
Total of the Tehsil of Samana,			29	15	77

[No. R-31015/2/90—ORI]

का आ. 835 :—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि गुजरात राज्य में काङ्ग्रा से पंजाब राज्य में भटिन्डा तक राजस्थान और हरियाणा में होकर पेट्रोलियम के परिवहन के लिए, इन्डियन आयल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए ;

और ऐसी प्रतीत होता है कि उक्त पाइपलाइनन बिछाने के प्रयोजनों के लिए इस अधिसूचना में उपाबद्ध अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है : अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग का अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ।

उक्त अनुसूची में वर्णित भूमि में हित रख कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियोजना की उपस्थिति करा दिए जाने की तारीख में 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने में आपत्ति निहित रूप में थां कृपाल सिंह, भूमि अर्जन अधिकारी और सक्षम प्राधिकारी, इन्डियन आयल कारपोरेशन लिमिटेड, काङ्ग्रा-भटिन्डा पाइपलाइन परियोजना सेक्टर 37-सी, एस सी रो 178 चंडीगढ़ को कर सकेगा ।

अनुसूची

सहसील फूल नाम गांव	हवेली नं.	जिला भविष्य मस्तनी नं. किला नं.	राज्य पंजाब क्षेत्रफल		
			हेक्टेयर	अरर	वर्ग मीटर
1	2	3	4	5	6
आऊ के	2	207/			
		22/2	—	1	51
		23	—	10	12
		209/1	—	12	90
		2/1	—	2	53
		2/2	—	9	11
		3	—	1	01
		210/4	—	1	01
		5/2	—	6	07
		6	—	—	76
		7/1	—	14	17
		8/1	—	6	07
		8/2	—	6	07
		9	—	11	13
		10	—	1	52
		11/1	—	11	38
		12	—	1	77
		211/13/2	—	—	76
		14	—	10	62
		15/1	—	5	06
		15/2	—	8	09
		17/1	—	2	28
		18	—	11	88
		19	—	12	90
		20/1	—	2	28
		20/2	—	4	30
		21	—	1	01
		212/			
		17/2	—	2	03
		18	—	1	01
		21	—	12	39
		22	—	12	40
		23	—	11	38
		24	—	9	11
		25/1	—	1	81
		25/2	—	1	26
		213			
		21	—	12	39
		22	—	12	39
		23	—	12	40
		24	—	12	39
		25/1	—	3	29
		25/2	—	7	33
		214	—		
		21	—	12	39
		22	—	10	13

1	2	3	4	5	6
बालक-जारी		23	—	12	65
		24	—	12	39
		25	—	12	39
		215			
		21/2	—	7	84
		22	—	10	12
		23	11	11	13
		24	—	12	39
		25	—	12	40
		216			
		22	—	—	51
		23	—	1	77
		24/2	—	3	29
		25	—	5	56
		227			
		1/2	—	—	51
		3	—	—	50
		4	—	1	77
		5	—	2	28
		6	—	10	12
		7	—	10	62
		8/2	—	11	89
		9	—	12	14
		228			
		1	—	2	78
		2	—	3	29
		3	—	4	05
		4/1	—	—	25
		4/2	—	3	54
		5	—	4	55
		6	—	7	84
		7	—	7	34
		8/2	—	8	09
		9	—	9	11
		10	—	9	01
		229			
		1	—	4	55
		2/1	—	3	04
		2/2	—	2	02
		3	—	5	57
		4	—	5	56
		5	—	6	08
		6	—	6	07
		7	—	6	83
		8	—	6	81
		9	—	7	33
		10	—	7	84
		230			
		1	—	6	83
		2	—	7	33
			—	7	84
		3	—		11
		4	—	9	
		5/2	—	10	12

1	2	3	4	5	6
ब्राउने—समाप्ति	6		—	2	27
	7		8		79
	8		—	1	51
	9		—		78
	10		—		29
	11				
	1		—	10	62
	2		—	11	14
	3		—	11	89
	4		—	12	49
	5		—	12	39
	8		—	—	51
	9		—	1	01
	10		—	1	77
	232				
	1		—	12	49
	2		—	12	40
	3		—	12	39
	4/1		—	10	88
	4/2		—	1	51
	5/1		—	7	85
	5/2		—	4	56
	133				
	1		—	12	39
	2		—	12	40
	3		—	12	39
	4		—	12	40
	5		—	12	39
	234				
	1		—	12	40
	2/1		—	9	60
	3		—	8	09
	4/1		—	12	39
	5/1		—	11	13
	5/2		—	1	01
	235				
	1		—	12	49
	2		—	11	89
	3		—	10	62
	4		—	9	11
	5		—	6	83
	236				
	1		—	1	55
	2		—	2	18
ख. ग. घ. ङ. च. छ. ज. झ. ञ. ट. ठ. ड. ढ. ण. त. थ. द. ध. न. प. फ. ब. भ. म.	561		—	5	00
	562		—	6	07
	563		—	18	46
	564		—	5	41
	568/1		—	11	65
	569		—	4	10
	685		—	16	19
	705		—	22	00
	705/1		—	7	84

1	2	3	4	5	6
		713	—	22	51
		714/1	—	6	58
		715	—	1	26
		716	—	15	43
		717	—	15	43
		723	—	15	43
		724	—	15	43
		735	—	5	06
		736	—	15	43
		737	—	15	43
		754/1	—	23	78
		1476/756	—	2	53
		1477/757	—	19	98
		761	—	15	43
		767/2	—	23	27
		855/1	—	14	92
		855/2	—	5	56
		857	—	10	62
		858	—	15	43
		859	—	15	43
		860	—	15	43
		862	—	14	42
		888	—	15	43
		889	—	13	91
		898	—	15	43
		901	—	15	43
		919	—	15	43
		920	—	9	36
		922	—	11	38
		1491/925	—	28	08
		940	—	22	26
		(1502/941)	—	15	43
		942	—	20	71
		944	—	25	55
		972	—	4	55
		973	—	—	25
		976	—	15	43
		977	—	15	18
		977/1	—	13	90
		978	—	6	07
		981	—	17	96
		982	—	11	63
		984	—	15	43
3. ॐ	3	156	—	22	76
		157	—	15	43
		158	—	15	43
		159/6	—	15	43
		160/1	—	15	43
		165/2	—	1	26
		165/3	—	14	16
		166/1/1	—	1	52
		166/1/2	—	13	91
		167/2	—	10	62
		408/2	—	6	57

1	2	3	4	5	6
		577	—	10	62
		578	—	15	43
		580	—	15	43
		582	—	15	42
		583	—	5	82
		584	—	7	33
		585/1	1	1	52
		585/2	—	13	91
		587/1/2	—	8	35
		587/1/3	—	7	08
		589/4/1	—	6	07
		589/5	—	—	76
		589/6	—	—	25
		589/4/2	—	1	77
		589/3/3	—	6	32
		591/2	—	13	91
		599/1/1/2	—	7	08
		599/1/2	—	7	34
		600/1	—	15	43
		604/2	—	15	43
		605	—	15	43
		607	—	15	43
		898/1	—	1	01
		898/5/1	—	1	01
		898/4/1	—	5	56
		898/4/2	—	7	85
		899/2/2/1	—	15	43
		900/2/2/1	—	4	55
		900/2/2/3	—	10	87
		901/1	—	15	43
		910/2/1	—	—	76
		911/1/2	—	7	81
		915	—	6	55
		916	—	14	67
		912	—	9	87
		914/2/2	—	—	25
		965	—	—	26
		966/2/1	—	11	59
		966/2/2	—	2	78
		967/2	—	2	78
		967/3	—	12	65
		968/1	—	15	43
		971/1	—	4	55
		971/4	—	—	51
		971/3	—	10	12
		972/1	—	15	43
		975/2	—	7	84
		975/3	—	7	84
		977/2/1	—	1	01
		977/2/2	—	13	91
		978/2/1	—	15	43
		981/3/1/1	—	4	54
		981/3/2	—	10	88
		982/1/2/2	—	1	26

1	2	3	4	5	6
		982/1/1/2/1	--	7	34
		982	--	9	36
		990	--	9	36
		991/2/1	--	7	84
		991/2/2	--	6	07
		992/1/1	--	1	01
		992/2	--	13	39
4 रसिनबाग	4	20			
		11/2	--	1	26
		12/1/1	--	1	55
		12/2	--	1	52
		13/1	--	9	61
		14/1	--	12	14
		15/1	--	7	33
		15/2	--	2	78
		17/1	--	--	25
		18/1	--	2	28
		18/2	--	--	76
		19	--	6	07
		20	--	3	04
		21			
		11/1	--	8	09
		12/1/1	--	5	31
		12/2	--	3	79
		13/1	--	12	39
		14/2	--	12	39
		15/1/1	--	1	26
1		15/2	--	11	13
		22			
		6	--	11	13
		22/6	--	11	13
		7	--	8	09
		8	--	5	06
		9/1	--	1	01
		11	--	12	39
		12	--	11	38
		13/1	--	2	02
		13/2	--	5	06
		14	--	3	79
		15	--	1	01
		23			
		55			
		9/3	--	3	79
		10/3	--	11	63
5 बासिधाबान्नी	6	144			
		1	--	15	43
		2/1	--	10	12
		3/2	--	12	90
		4	--	7	08
		145			
		1/2	--	15	43
		2/1	--	15	43

1	2	3	4	5	6
बलितावाला (जारी)		3/2/1	--	15	43
		4/1	--	9	86
		4/2	--	4	56
		146			
		3/1	--	1	30
		4/2	--	11	38
		5	--	3	28
		6	--	11	13
		7	--	15	43
		8	--	15	43
		147			
		5/1	--	15	43
		6/1	--	12	90
		6/2/2	--	--	76
		7/2/1/2	--	2	28
		7/2/2/2	--	12	64
		8/2	--	15	42
		148			
		5/1	--	1	52
		5/2	--	13	91
		6	--	15	43
		7/1	--	13	66
		7/2	--	1	77
		8	--	15	43
		149			
		5/1	--	4	05
		5/2	--	11	38
		6/1/1	--	6	07
		6/2	--	7	59
		7/1	--	15	43
		8/3	--	13	42
		150			
		5/1/2	--	9	36
		6/3	--	2	02
		158			
		5/1	--	1	52
		5/2	--	1	52
		159			
		5/2	--	15	43
		6/1	--	15	43
		7/2	--	15	43
		8/1	--	15	43
		160/			
		5	--	15	43
		6	--	14	42
		7	--	15	42
		8/1	--	11	89
		8/2	--	3	54
		161			
		3/2	--	1	26
		4/2	--	9	87
		5/1	--	5	56
		6	--	11	17

1	2	3	4	5	6
5. बलियावाला (जारी)		7/1 8/1 162	-- -- --	15 15 --	43 43 --
		1/1 2 3 4/2 163	-- -- -- -- --	14 15 15 15 --	12 13 13 13 --
		1 2/1 2/2 3/2 4/1 4/2 164	-- -- -- -- -- -- --	15 10 5 14 -- 14 --	43 11 31 92 51 92 --
		1 2 3 4 165	-- -- -- -- --	15 15 15 13 --	43 13 43 91 --
		1 2 3 4/1	-- -- -- --	13 15 13 5	91 13 41 31
6. नदगढ़	9	88/1 88/2 89/1 90/1 103 104 105	-- -- -- -- -- -- --	-- 1 14 1 13 15 12	25 52 92 77 91 68 65
7 गिलखुर्ब	8	60 15/2 16 17/1 17/2 18 19 61	-- -- -- -- -- -- -- --	-- -- 12 9 3 12 12 --	51 14 61 04 14 90 --
		11 12 13 19 20 65	-- -- -- -- -- --	6 11 1 -- 6 --	07 38 52 25 07 --
		8 9	-- --	-- --	76 25

1	2	3	4	5	6
S. क्र.के.	11	6	---	11	63
		9	---	15	43
		10	---	15	43
		14/1	---	5	06
		14/2	---	10	62
		15/1/1	---	1	05
		15/1/2	---	0	51
		15/2	---	1	26
		85/2	---	7	83
		86/1	---	9	86
		86/2	---	5	57
		89/1/1/1	---	12	90
		89/2/1	---	2	53
		92	---	15	43
		94/1	---	5	06
		94/2	---	10	62
		101/1	---	15	4
		102/1	---	14	42
		103	---	15	43
		104	---	15	43
		107/1	---	15	13
		108/1/1	---	12	90
		109	---	---	76
		141	---	11	38
		142/1	---	2	53
		142/2	---	12	90
		143/1	---	1	26
		143/2/1	---	4	56
		143/2/2	---	8	09
		144	---	9	11
		150	---	---	25
		151	---	3	54
		169/1	---	5	31
		169/2	---	1	27
		170/1	---	---	25
		170/3	---	9	36
		171/1/2	---	4	56
		171/1/3	---	5	06
		172/3/2	---	3	03
		172/2	---	7	08
		213/2	---	19	98
		214/2	---	14	92
		221/1/1	---	1	01
		222/2	---	1	26
		222/1	---	5	31
		222/3	---	---	76
		230/1/1	---	1	26
		230/1/2/2	---	10	63
		246/3/1	---	3	54
		246/4/2	---	11	89
		247/1/2	---	4	05
		247/3/2	---	1	01
		247/4/2	---	10	62

1	2	3	4	5	6
8. इन्डको (—गारी)		248/2/1	—	15	69
		249	—	15	68
		250	—	15	68
		252	—	10	88
		261/2	—	5	57
		261/3	—	9	86

[सं० प्रार 31015/2/90-प्रो प्रार 1]

S.O. 835 :—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Kirpal Singh Land Acquisition Officer and Competent Authority, Indian Oil Corporation Ltd., Kandla-Bhatinda Pipeline Project, Section 37-C SCO 178 Chandigarh.

SCHEDULE

Tehsil : Phal		District : Bhatinda		State : Punjab	
Name of Village	Had bast No.	Survey No../ Khasra No./ Mustateel No. Killa No.	Area		
			Hectare	Are	Centi Area
1	2	3	4	5	6
1. Chauke	2	207			
		22/2	—	1	51
		23	—	10	12
		209			
		1	—	12	90
		2/1	—	2	53
		2/2	—	9	11
		3	—	1	01
		210			
		4	—	1	01
		5/2	—	6	07
		6	—	—	76
		7/1	—	14	17

1	2	3	4	5	6
		8/1	—	6	07
		8/2	—	6	07
		9	—	11	13
		10	—	1	52
		11/1	—	11	38
		12	—	1	77
		211			
		13/2	—	—	76
		14	—	10	62
		15/1	—	5	06
		15/2	—	8	09
		17/1	—	2	28
		18	—	11	88
		19	—	12	90
		20/1	—	2	28
		20/2	—	4	30
		21	—	1	01
		212			
		17/2	—	2	03
		18	—	1	01
		21	—	12	39
		22	—	12	40
		23	—	11	38
		24	—	9	11
		25/1	—	4	81
		25/2	—	1	26
		213			
		21	—	12	39
		22	—	12	39
		23	—	12	40
		24	—	12	39
		25/1	—	3	29
		25/2	—	7	33
		214			
		21	—	12	39
		22	—	10	13
		23	—	12	65
		24	—	12	39
		25	—	12	39
		215			
		21/2	—	7	84
		22	—	10	12
		23	—	11	13
		24	—	12	39
		25	—	12	40
		216			
		22	—	—	51
		23	—	1	77
		24/2	—	3	29

1	2	3	4	5	6
		25	—	5	56
		227			
		1/2	—	—	51
		3	—	—	50
		4	—	1	77
		5	—	2	28
		6	—	10	12
		7	—	10	62
		8/2	—	11	89
		9	—	12	14
		228			
		1	—	2	78
		2	—	3	29
		3	—	4	05
		4/1	—	—	25
		4/2	—	3	54
		5	—	4	55
		6	—	7	84
		7	—	7	34
		8/2	—	8	09
		9	—	9	11
		10	—	9	61
		229			
		1	—	4	55
		2/1	—	3	04
		2/2	—	2	02
		3	—	5	57
		4	—	5	56
		5	—	6	08
		6	—	6	07
		7	—	5	83
		8	—	5	83
		9	—	7	33
		10	—	7	84
		230			
		1	—	6	83
		2	—	7	33
		3	—	7	84
		4	—	9	12
		5/2	—	10	12
		6	—	2	27
		7	—	2	79
		8	—	1	51
		9	—	2	78
		10	—	3	29
		231			
		1	—	10	52
		2	—	11	13
		3	—	11	89
		4	—	12	39

1	2	3	4	5	6
		5	—	12	39
		8	—	—	51
		9	—	1	01
		10	—	1	77
		232			
		1	—	12	39
		2	—	12	40
		3	—	12	39
		4/1	—	10	88
		4/2	—	1	51
		5/1	—	7	85
		5/2	—	4	56
		233			
		1	—	12	39
		2	—	12	40
		3	—	12	39
		4	—	12	40
		5	—	12	39
		234			
		1	—	12	40
		2/1	—	9	60
		3	—	8	09
		4/1	—	12	39
		5/1	—	11	13
		5/2	—	1	01
		235			
		1	—	12	39
		2	—	11	89
		3	—	10	62
		4	—	9	11
		5	—	6	83
		236			5
		1	—	4	55
		2	—	2	28
2. Khokhar		561	—	5	06
		562	—	6	07
		563	—	18	46
		568	—	5	31
		568/1	—	11	63
		569	—	4	30
		685	—	16	19
		705	—	22	00
		705/1	—	7	84
		713	—	22	51
		714/1	—	6	58
		715	—	1	26
		716	—	15	43
		717	—	15	43
		723	—	15	43
		724	—	15	43
		735	—	5	06

1	2	3	4	5	6
		736	—	15	43
		737	—	15	43
		754/1	—	23	78
		1476/756	—	2	53
		1477/757	—	19	98
		761	—	15	43
		767/1	—	23	27
		855/1	..	14	92
		855/2	—	25	56
		857	—	10	62
		858	—	15	43
		859	—	15	43
		860	—	15	43
		862	—	14	42
		888	—	15	43
		889	—	13	91
		898	—	15	43
		901	—	15	43
		919	—	15	43
		920	—	9	36
		922	—	11	38
		1491/925	..	28	08
		940	—	22	26
		(1502/941)	—	15	43
		942	—	20	74
		944	—	25	55
		972	—	4	55
		973	—	—	25
		976	—	15	43
		977	—	15	18
		977/1	—	13	90
		978	—	6	07
		981	—	17	96
		982	—	11	63
		984	—	15	43
3. Dhade	3	156	—	22	76
		157	—	15	43
		158	—	15	43
		159/1	—	15	43
		160/1	—	15	43
		165/2	—	1	26
		165/3	—	14	16
		166/1/1	—	1	53
		166/1/2	—	13	91
		167/2	—	10	62
		408/2	—	6	57
		577	—	10	62
		578	—	15	43

1	2	3	4	5	6
		580	—	15	43
		582	—	15	43
		583	—	5	82
		584	—	7	33
		585/1	—	1	52
		585/2	—	13	91
		587/1/2	—	8	35
		587/1/3	—	7	08
		589/4/1	—	6	07
		589/5	—	—	76
		589/6	—	—	25
		589/4/2	—	1	77
		589/3/3	—	6	32
		591/2	—	13	91
		599/1/1/2	—	7	08
		599/1/2	—	7	34
		600/1	—	15	43
		604/3	—	15	43
		605	—	15	43
		607	—	15	43
		898/1/1	—	1	01
		898/5/1	—	1	01
		898/4/1	—	5	56
		898/4/2	—	7	85
		899/2/2/1	—	15	43
		900/2/2/1	—	4	55
		900/2/2/3	—	10	87
		901/1	—	15	43
		910/2/1	—	—	76
		911/1/2	—	7	84
		915	—	6	58
		916	—	14	67
		912	—	9	87
		914/2/2	—	—	25
		965	—	—	26
		966/2/1	—	11	89
		966/2/2	—	2	78
		967/2	—	2	78
		967/3	—	12	65
		968/1	—	15	43
		971/1	—	4	55
		971/4	—	—	51
		971/3	—	10	12
		972/1	—	15	43
		975/2	—	7	84
		975/3	—	7	84
		977/2/1	—	1	01
		977/2/2	—	13	91
		978/2/1	—	15	43
		981/3/1/1	—	4	54

1	2	3	4	5	6
2. Khokhar	1	981/3/2	—	10	88
		982/1/2/2	—	1	26
		982/1/1/2/1	—	7	34
		982	—	9	36
		990	—	9	36
		991/2/1	—	7	84
		991/2/2	—	6	07
		992/1/1	—	1	01
		992/2	—	14	39
4. Ramanwas	4	20			
		11/2	—	1	26
		12/1/1	—	4	55
		12/2	—	1	52
		13/1	—	9	61
		14/1	—	12	14
		15/1	—	7	33
		15/2	—	2	78
		17/1	—	—	25
		18/1	—	2	28
		18/2	—	—	76
		19	—	6	07
		20	—	3	04
		21			
		11/1	—	8	09
		12/1/1	—	5	31
		12/2	—	3	79
		13/1	—	12	39
		14/2	—	12	39
		15/1/1	—	1	26
		15/2	—	11	13
		22			
		6	—	11	13
		22/6	—	11	13
		7	—	8	09
		8	—	5	06
		9/1	—	1	01
		11	—	12	39
		12	—	11	38
		13/1	—	2	02
		13/2	—	5	06
		14	—	3	79
		15	—	1	01
		23			
		9/3	—	3	79
		10/3	—	11	63
5. Balianwali	6	144			
		1	—	15	43
		2/1	—	10	12
		3/2	—	12	90
		4	—	7	08

1	2	3	4	5	6
		145			
		1/2	—	15	43
		2/1	—	15	43
		3/2/1	—	15	43
		4/1	—	9	86
		4/2	—	4	56
		146			
		3/1	—	4	30
		4/2	—	11	38
		5	—	3	28
		6	—	11	13
		7	—	15	43
		8	—	15	43
		147			
		5/1	—	15	43
		6/1	—	12	90
		6/2/2	—	—	76
		7/2/1/2	—	2	28
		7/2/2/2	—	12	64
		8/2	—	15	42
		148			
		5/1	—	1	52
		5/2	—	13	91
		6	—	15	43
		7/1	—	13	66
		7/2	—	1	77
		8	—	15	43
		149			
		5/1		4	05
		5/2	—	11	38
		6/1/1	—	6	07
		6/2	—	7	59
		7/1	—	15	43
		8/3	—	15	42
		150			
		5/1/2	—	9	36
		6/3	—	2	02
		158			
		5/1	—	1	52
		5/2	—	1	52
		159			
		5/2	—	15	43
		6/1	—	15	43
		7/2	—	15	43
		8/1	—	15	43
		160			
		5	—	15	43
		6	—	14	42

1	2	3	4	5	6
		7	—	15	42
		8/1	—	11	89
		8/2	—	3	54
		161			
		3/2	—	1	26
		4/2	—	9	87
		5/1	—	5	56
		6	—	14	17
		7/1	—	15	43
		8/1	—	15	43
		162			
		1/1	—	14	42
		2	—	15	43
		3	—	15	43
		4/2	—	15	43
		163			
		1	—	15	43
		2/1	—	10	11
		2/2	—	5	31
		3/2	—	14	92
		4/1	—	—	51
		4/2	—	14	92
		164			
		1	—	15	43
		2	—	15	43
		3	—	15	43
		4	—	13	91
		165	—		
		1	—	13	91
		2	—	15	43
		3	—	13	41
		4/1	—	5	31
6. Nandgarh	9	88/1	—	—	25
		88/2	—	1	52
		89/1	—	14	92
		90/1	—	1	77
		103	—	13	91
		104	—	15	68
		105	—	12	65
7. Gillkhurd	8	60			
		15/2	∴	—	51
		16	—	12	14
		17/1	—	9	61
		17/2	—	3	04
		18	—	12	14
		19	—	12	90
		61			
		11	—	6	07
		12	—	11	38
		13	—	1	52

1	2	3	4	5	6
Gillkhurd (Contd.)	8	19	—	—	25
		20		6	07
		65			
		8	—	—	76
		9	—	—	25
8. Jhanduke	11	6	—	11	63
		9	—	15	43
		10	—	15	43
		14/1	—	5	06
		14/2	—	10	62
		15/1/1		4	05
		15/1/2	∴	0	51
		15/2	∴	1	26
		85/2	∴	7	83
		86/1	—	9	86
		86/2	—	5	57
		89/1/1/1	—	12	90
		89/2/1	—	2	43
		92	—	15	43
		94/1	—	5	06
		94/2	—	10	62
		101/1	—	15	43
		102/1	—	14	42
		103	—	15	43
		104	—	15	43
		107/1	—	15	43
		108/1/1	—	12	90
		109	—	—	76
		141	—	11	38
		142/1	—	2	53
		142/2	—	12	90
		143/1	—	1	26
		143/2/1	—	4	56
		143/2/2	—	8	09
		144	—	9	11
		150	—	—	25
		151	—	3	54
		169/1	—	5	31
		169/2	—	1	27
		170/1	—	—	25
		170/3	—	9	36
		171/1/2	—	4	56
		171/1/3	—	5	6
		172/3/2	—	3	03
		172/2	—	7	08
		213/2	—	19	98
		214/2	—	14	92
		221/1/1	—	1	01
		222/2	—	1	26

1	2	3	4	5	6
Jhanduke (Contd.)		222/1	—	5	31
		222/3	—	—	76
		230/1/1	—	1	26
		230/1/2/2	—	10	63
		246/3/1	—	3	54
		246/4/2	—	11	89
		247/1/2	—	4	05
		247/3/2	—	1	01
		247/4/2	—	10	62
		248/2/1	—	15	69
		249	—	15	68
		250	—	15	68
		252	—	10	88
		261/2	—	5	57
		261/3	—	9	86

[R. 31015/2/90-ORI]

कां०आ० 836—केन्द्रीय सरकार को यह प्रतीत होता है कि लोक हित में ऐसा करना आवश्यक है कि गुजरात राज्य में कांठला से पंजाब राज्य में सटिण्डा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन प्रायल कार्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है; अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हित रख कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने में आपत्ति लिखित रूप में श्री कृपाल सिंह, भूमि अर्जन अधिकारी और सक्षम प्राधिकारी, इंडियन प्रायल कार्पोरेशन लिमिटेड, कांठला-सटिण्डा पाइपलाइन परियोजना, सेक्टर 37-सी, एस सी ओ 178 बंड़ीगढ़ को कर सकेगा।

अनुसूची

तहसील : सटिण्डा

जिला : सटिण्डा

राज्य : पंजाब

गांव का नाम	हवबस्त नं.	मस्ती नं. / किला नं.	क्षेत्रफल		
			हैक्टेयर	घार	बर्गमीटर
1	2	3	4	5	5
1. बक राम सिंह बाला	204	66/8/1	—	03	29
		9	—	08	34
		10	—	06	32
		11	—	05	31
		12	—	04	05
		13/1	—	01	27
		67/6	—	05	05
		7	—	04	05
		4/2	—	02	78
		9	—	01	77
		10	—	—	25
		11	—	11	89
		12	—	10	62
		13/1	—	09	61
		14/1	—	07	08
		14/2	—	01	77

1	2	3	4	5	6
चक्र राम सिंह बाला—हारी	204	15	—	07	34
		8/11	—	11	38
		12/1	—	06	07
		12/2	—	05	31
		12/3	—	01	01
		13	—	12	39
		14	—	12	40
		15	—	12	39
		69/11	—	12	39
		12	—	12	40
		13	—	12	39
		14	—	12	39
		15	—	11	64
		70/11	—	12	40
		12	—	12	39
		13	—	12	39
		14	—	12	90
		15	—	10	88
		71/11	—	11	62
		12	—	11	63
		13	—	12	40
		14	—	12	39
		15	—	12	40
		72/11/1	—	09	61
		11/2	—	01	52
		12/2	—	12	39
		13/1/2	—	06	58
		13/2/2	—	05	82
		14/1/1	—	—	25
		14/1/2	—	03	79
		14/2	—	08	35
		15	—	12	39
		73/11/2	—	01	77
		11/3	—	04	55
		12/2	—	08	35
		13/1	—	—	75
		13/2	—	08	35
		14/2	—	09	36
		15	—	04	30
		16	—	02	28
		17/2	—	01	52
		18	—	02	78
		19	—	04	05
		20	—	05	06
		74/11/2	—	01	77
		12/1	—	02	78
		13	—	03	29
		14/2	—	03	54
		15	—	04	05
		16	—	06	07
		17/1	—	08	60
		18/1	—	08	60
		19	—	09	61
		20	—	10	62
		75/15	—	—	51
		16	—	11	88

1	2	3	4	5	6
शक राम सिंह बाला - समाप्त	204	75/17	---	12	65
		18	---	12	64
		19	---	12	65
		20	---	10	11
		21	---	01	77
		76/16/2	---	02	78
		25	---	06	07
2 शक फगु सिंह बाला	205	135/17	---	01	77
		21	---	08	09
		22	---	15	43
		23/1	---	12	14
		23/2	---	---	51
		24	---	09	36
		25/1	---	---	76
		136/21/1	---	07	33
		21/2	---	05	06
		22/2	---	08	35
		22/1	---	04	05
		23/1	---	09	61
		23/2	---	02	78
		24/2	---	10	63
		24/1	---	01	77
		25	---	12	39
		137/22	---	04	81
		137/23	---	12	39
		24/1	---	12	39
		25	---	12	39
		144/16	---	12	39
		17	---	05	31
		18	---	12	65
		19	---	12	13
		20/2	---	03	29
		21	---	03	29
		22	---	01	26
		145/11	---	04	05
		12/1	---	06	83
		12/2	---	04	05
		13/1	---	03	79
		13/2	---	08	85
		14	---	12	65
		15	---	10	88
		19/2	---	01	51
		20	---	08	35
		146/5	---	06	32
		6	---	06	32
		7	---	13	86
		8	---	12	14
		9	---	08	35
		146/10/1	---	02	53
		10/2	---	---	51
		11/1	---	03	04
		11/2	---	---	75
		147/1	---	11	89
		2	---	08	60

1	2	3	4	5	6
3. सुगमाली	208	170/25	—	01	77
		171/16	—	0	51
		21	—	08	35
		22	—	11	13
		23	—	12	65
		24	—	12	39
		25	—	12	14
		172/21/1	—	—	76
		21/2	—	04	30
		174/1	—	04	05
		175/1/2	—	12	39
		2	—	12	40
		3	—	11	63
		4	—	12	40
		5/1	—	10	62
		176/4	—	01	51
		5/2	—	07	84
		6	—	04	55
		176/7	—	10	12
		8/1	—	01	26
		8/2	—	11	14
		9/1	—	05	82
		9/2	—	06	58
		10/1	—	03	29
		10/2	—	07	84
		177/6	—	12	39
		7	—	07	84
		8	—	01	27
		11/1	—	11	63
		11/2	—	—	76
		12	—	12	39
		13	—	11	13
		14	—	04	55
		178/12	—	01	26
		13	—	07	85
		14	—	11	13
		15	—	12	39
		18	—	04	55
		19	—	11	13
		20	—	12	65
		179/16	—	12	64
		17	—	12	65
		179/18	—	10	87
		19	—	04	05
		21	—	10	61
		22	—	01	77
		180/25	—	06	33
		196/16/2	—	—	25
		17	—	11	38
		18	—	12	39
		19	—	12	39
		20	—	04	56
		25	—	—	76
		197/16	—	—	25

1	2	3	4	5	6
तृगुबाली (आरी)	208	17/2	--	02	03
		18	--	04	55
		19/1	--	06	32
		19/2	--	--	51
		20/1	--	--	51
		20/3	--	03	04
		21/1	--	01	01
		21/3	--	--	26
		22/1	--	05	56
		23/1/2/1	--	07	84
		24	--	09	36
		25	--	11	38
		198/21/1	--	12	39
		22	--	12	39
		23	--	12	39
		24	--	12	39
		25	--	11	64
		25	--	12	39
		199/21/2/1	--	12	39
		22	--	12	39
		23	--	12	39
		24	--	12	39
		25	--	11	64
		200/21	--	12	39
		23/1	--	10	12
		22	--	12	39
		23/2	--	--	51
		23/3	--	01	01
		23/4	--	--	51
		24	--	07	84
		25/2	--	10	88
		201/21/2	--	05	06
		22/1	--	01	77
		202/23	--	01	01
		24	--	02	78
		25	--	04	05
		203/21	--	05	56
		203/22	--	07	59
		23	--	10	12
		203/24/1	--	03	54
		24/2	--	08	60
		25	--	12	39
		204/21/1	--	05	31
		21/2	--	05	31
		22/3/2	--	12	40
		23	--	12	39
		24/1	--	07	84
		24/2	--	04	55
		25/1	--	11	12
		25/2	--	--	51
		205/21	--	12	39
		22/1/1	--	03	79
		22/1/2	--	04	55
		22/2	--	04	05

1	2	3	4	5	6
सुगमाली (जारी)	208	23	—	12	39
		24	—	12	39
		25	—	12	39
		208/16/2	—	08	35
		17/2/2	—	05	82
		18	—	01	77
		19	—	01	02
		208/21	—	12	39
		22	—	11	38
		23/1	—	06	83
		23/2	—	01	26
		24/1	—	06	83
		25/1	—	02	78
		25/2	—	01	01
		207/18/2	—	11	13
		17/2	—	31	91
		18/1	—	05	06
		18/2	—	03	29
		29/1	—	02	02
		19/2	—	06	83
		20/1	—	06	58
		20/3	—	01	01
		20/4	—	03	29
		20/5	—	03	03
		21/1	—	—	51
		208/12/2/3	—	09	86
		13	—	09	36
		14	—	12	39
		15/1	—	06	07
		15/2	—	06	07
		209/5/1	—	04	30
		209/5/2	—	04	81
		6	—	07	84
		7	—	13	15
		8	—	06	82
		9/1	—	—	25
		9/2	—	02	28
		11/1	—	02	52
		11/2	—	05	82
		11/3	—	04	05
		12/1	—	—	51
		12/3	—	09	60
		13/1	—	02	28
		13/2	—	01	01
		14	—	—	25
		228/1/1	—	06	83
		2/1	—	04	30
		3	—	02	28
		4	—	—	25
		229/1	—	12	40
		2	—	12	39
		3	—	11	39
		4	—	09	61

1	2	3	4	5	6
नृगबाली (बादी)	208	5	--	08	35
		230/1/1	--	07	33
		230/2	--	09	87
		3	--	12	40
		4	--	12	40
		5	--	12	31
		231/4	--	--	52
		5	--	04	04
4 गुलाब मूह भलाह बाई बाला	58	18/7/1	--	--	51
		7/2	--	12	14
		8/1	--	02	78
		8/2	--	01	01
		11	--	09	61
		12	--	08	60
		13/1	--	06	83
		13/2	--	02	27
		14	--	--	51
		15/2	--	05	31
		16	--	07	59
		17	--	12	90
		18/1	--	--	25
		18/2	--	11	64
		19/1	--	01	77
		21/1	--	09	86
		22/1	--	94	81
		19/22/2	--	01	77
		23	--	--	25
		20/24/2	--	--	51
		25	--	08	60
		24/13	--	01	77
		14	--	09	61
		15/1	--	04	05
		15/2	--	04	34
		17	--	02	78
		18	--	05	57
		23	--	06	83
		25/6/1	--	11	89
		6/2	--	--	50
		7	--	03	04
		11	--	12	39
		12	--	12	40
		13	--	12	14
		14	--	06	83
		15	--	--	25
		26/2	--	06	32
		3	--	12	90
		4/1/1	--	08	35
		4/2	--	04	04
		5	--	03	04
		28/9	--	06	07
		10	--	12	90
		37/3	--	11	13
		8	--	10	62
		9	--	12	39
		10	--	15	62

1	2	3	4	5	6
गुलाब गृह कलाई नाईवाला (जारी)		38/6	—	10	37
		7	—	03	04
		12	—	10	62
		13		12	65
		14	—	09	61
		15	—	02	02
कुस मण्डी	60	178	—	22	25
		180/3	—	10	88
		181	—	02	53
		196	—	05	56
		188	—	16	95
		189	—	12	14
		190	—	05	82
		194/3	—	16	95
		197/2	—	16	44
		211	—	—	51
		212	—	25	25
		213/1	—	16	95
		214	—	04	30
		215/2	—	12	90
		228	—	11	17
		229/1	—	3	75
		229/2	—	04	56

[सं० गार-31015/2/90-मो गार I]

कुलदीप सिंह, सचिव

S.O. 836.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Kripal Singh Land Acquisition Officer and Competent Authority Indian Oil Corporation Ltd., Kandla-Bhatinda Pipeline Project Sector 37-C SCO 178 Chandigarh.

SCHEDULE

Tehsil: Bhatinda		District : Bhatinda	State : Punjab		
Name of Village	Hadbast No.	Survey No./ Khasra No./ Mustateel No. Killa No.	AREA		
			Hectare	Are	Centiare
1	2	3	4	5	6
1.Chak Wala	Ram Singh 204	66/8/1 9	—	03	29
			—	08	34

1	2	3	4	5	6
Chak Ram Singh Wala	204	10	—	06	32
—Contd.		11	—	05	31
		12	—	04	05
		13/2	—	01	27
		67/1/6	—	05	05
		7	—	04	05
		8/2	—	02	78
		9	—	01	77
		10	—	—	25
		11	—	11	89
		12	—	10	62
		13/1	—	09	61
		14/1	—	07	08
		14/2	—	01	77
		15	—	07	34
		66/11	—	11	38
		12/1	—	06	07
		12/2	—	05	31
		12/3	—	01	01
		13	—	12	39
		14	—	12	40
		15	—	12	39
		69//11	—	12	39
		12	—	12	40
		13	—	12	39
		14	—	12	39
		15	—	11	64
		70/11	—	12	40
		12	—	12	39
		13	—	12	39
		14	—	12	90
		15	—	10	88
		71/11	—	11	63
		12	—	11	63
		13	—	12	40
		14	—	12	39
		15	—	12	40
		72/11/1	—	09	61
		11/2	—	01	52
		12/2	—	12	39
		13/1/2	—	06	58
		13/2/2	—	05	82
		14/1/1	—	—	25
		14/1/2	—	03	79
		14/2	—	08	35
		15	—	12	39
		73/1/2	—	01	77
		11/3	—	04	55
		12/2	—	08	35
		13/1	—	—	75

1	2	3	4	5	6
Chak Ram Singh Wala.	204	13/2	—	08	35
—Contd.		14/2	—	09	36
		15	—	04	30
		16	—	02	28
		17/2	—	01	52
		18	—	02	78
		19	—	04	05
		20	—	05	06
		74/11/2	—	01	77
		12/1	—	02	78
		13	—	03	29
		14/2	—	03	54
		15	—	04	05
		16	—	06	07
		17/1	—	08	60
		18/1	—	08	60
		19	—	09	61
		20	—	10	62
		75/15	—	—	51
		16	—	11	88
		75/17	—	12	65
		18	—	12	64
		19	—	12	65
		20	—	10	11
		21	—	01	77
		76/16/2	—	02	78
		25	—	06	07
2. Chak Fatha Singh Wala	205	135/17	—	01	77
		21	—	08	09
		22	—	15	43
		23/1	—	12	14
		23/2	—	—	51
		24	—	09	36
		25/1	—	—	76
		136/21/1	—	07	33
		21/2	—	05	06
		22/2	—	08	35
		22/1	—	04	05
		23/1	—	09	61
		23/2	—	02	78
		24/2	—	10	63
		24/1	—	01	17
		25	—	12	39
		137/22	—	04	81
		137/23	—	12	39
		24 1	—	12	39
		25	—	12	39
		144/116	—	12	39
		17	—	05	31

1	2	3	4	5	6
Chak Fatha Singh Wala (Contd.)	205	18	—	12	65
		19	—	12	13
		20/1 2	—	03	29
		21	—	03	29
		22	—	01	26
		145/11	—	04	05
		12/1	—	06	83
		12/2	—	04	05
		13/1	—	03	79
		13/2	—	08	85
		14	—	12	65
		15	—	10	88
		19/2	—	01	51
		20	—	08	35
		146/5	—	06	32
		6	—	06	32
		7	—	13	66
		8	—	12	14
		9	—	08	35
		146/10/1	—	02	53
		10/2	—	—	51
		11/1	—	03	04
		11/2	—	—	75
		147/1	—	11	89
		2	—	08	60
3. Tungwali	208	170/25	—	01	77
		171/16	—	0	51
		21	—	08	35
		22	—	11	13
		23	—	12	65
		24	—	12	39
		25	—	12	14
		172/21/1	—	—	76
		21/2	—	04	30
		174/1	—	04	05
		175/1/2	—	12	39
		2	—	12	40
		3	—	11	63
		4	—	12	40
		5/1	—	10	62
		176/4	—	01	51
		5/2	—	07	84
		6	—	04	55
		176/7	—	10	12
		8/1	—	01	26
		8/2	—	11	14
		9/1	—	05	82
		9/2	—	06	58
		10/1	—	03	29

1	2	3	4	5	6
3. Tungwali (Contd.)	208	10/2	—	07	84
		177/6	—	12	39
		7	—	07	84
		8	—	01	27
		11/1	—	11	63
		11/2	—	—	76
		12	—	12	39
		13	—	11	13
		14	—	04	55
		178/12	—	01	26
		13	—	07	85
		14	—	11	13
		15	—	12	39
		18	—	04	55
		19	—	11	13
		20	—	12	65
		179/16	—	12	64
		17	—	12	65
		179/18	—	10	87
		19	—	04	05
		21	—	10	61
		22	—	01	77
		180/25	—	06	33
		196/16/2	—	—	25
		17	—	11	38
		18	—	12	39
		19	—	12	39
		20	—	04	56
		25	—	—	76
		197/16	—	—	25
		17/2	—	02	03
		18	—	04	55
		19/1	—	06	32
		19/2	—	—	51
		20/1	—	—	51
		20/3	—	03	04
		21/1	—	01	01
		21/3	—	—	26
		22/1	—	05	56
		23/1/2/1	—	07	84
		24	—	09	36
		25	—	11	38
		198/21/1	—	12	39
		22	—	12	39
		23	—	12	39
		24	—	12	39
		25	—	11	64
		25	—	12	39
		139/21/2/1	—	12	39
		22	—	12	39

1	2	3	4	5	6
Tungwali (Contd.)	208	23	—	12	39
		24	—	12	39
		25	—	11	64
		200/21	—	12	39
		23/1	—	10	12
		22	—	12	39
		23/2	—	—	51
		23/3	—	01	01
		23/4	—	—	51
		24	—	07	84
		25/2	—	10	88
		201/21/2	—	05	06
		22/1	—	01	77
		202/23	—	01	01
		24	—	02	78
		25	—	04	05
		203/21	—	05	56
		203/22	—	07	59
		23	—	10	12
		203/24/1	—	03	54
		24/2	—	08	60
		25	—	12	39
		204/21/1	—	05	31
		21/2	—	05	31
		22/3/2	—	12	40
		23	—	12	39
		24/1	—	07	84
		24/2	—	04	55
		25/1	—	11	12
		25/2	—	—	51
		205/21	—	12	39
		22/1/1	—	03	79
		22/1/2	—	04	55
		22/2	—	04	05
		23	—	12	39
		24	—	12	39
		25	—	12	39
		206/16/2	—	08	35
		17/2/2	—	05	82
		18	—	01	77
		19	—	01	02
		206/21	—	12	39
		22	—	11	38
		23/1	—	06	83
		23/2	—	01	26
		24/1	—	06	83
		25/1	—	02	78
		25/2	—	01	01
		207/16/2	—	11	13
		17/2	—	31	91

1	2	3	4	5	6
Tungwali (Contd.)	208	18/1	—	05	06
		18/2	—	03	29
		19/1	—	02	02
		19/2	—	06	83
		20/1	—	06	58
		20/3	—	01	01
		20/4	—	03	29
		20/5	—	03	03
		21/1	—	—	51
		208/12/2/3	—	09	86
		13	—	09	36
		14	—	12	39
		15/1	—	06	07
		15/2	—	06	07
		209/5/1	—	04	30
		209/5/2	—	04	81
		6	—	07	84
		7	—	13	15
		8	—	06	82
		9/1	—	—	25
		9/2	—	02	28
		11/1	—	02	52
		11/2	—	05	82
		11/3	—	04	05
		12/1	—	—	51
		12/3	—	09	60
		13/1	—	02	28
		13/2	—	01	01
		14	—	—	25
		228/1/1	—	06	83
		2/1	—	04	30
		3	—	02	28
		4	—	—	25
		229/1	—	12	40
		2	—	12	39
		3	—	11	39
		4	—	09	61
		5	—	08	35
		230/1/1	—	07	33
		230/2	—	09	87
		3	—	12	40
		4	—	12	40
		5	—	12	39
		231/4	—	—	51
		5	—	04	04
4. Gulab Garh	58	18/7/1	—	—	51
Alies Nai wala		7/2	—	12	14
		8/1	—	02	78
		8/2	—	01	01

1	2	3	4	5	6
Gulab Garh	58	11	—	09	61
Alies Nai Wali (Contd.)		12	—	08	60
		13/1	—	06	83
		13/2	—	02	27
		14	—	—	51
		15/2	—	05	31
		16	—	07	59
		17	—	12	90
		18/1	—	—	25
		18/2	—	11	64
		19/1	—	01	77
		21/1	—	09	86
		21/2	—	04	81
		22/1	—	01	77
		19/22/2	—	01	77
		23	—	—	25
		20/24/2	—	—	51
		25	—	08	60
		24/13	—	01	77
		14	—	09	61
		15/1	—	04	05
		15/2	—	08	34
		17	—	02	78
		18	—	05	57
		23	—	06	83
		25/6/1	—	11	89
		6/2	—	—	50
		7	—	03	04
		11	—	12	39
		12	—	12	40
		13	—	12	14
		14	—	06	83
		15	—	—	25
		26/2	—	06	32
		3	—	12	90
		4/1/1	—	08	35
		4/2	—	04	04
		5	—	03	04
		26/9	—	06	07
		10	—	12	90
		37/3	—	11	13
		8	—	10	62
		9	—	12	39
		10	—	12	65
		38/6	—	10	37
		7	—	03	04
		12	—	10	62
		13	—	12	65
		14	—	09	61
		15	—	02	02

1	2	3	4	5	6
5. Phus Mandi	60	178	—	22	25
		180/3	—	10	88
		181	—	02	53
		196	—	05	56
		188	—	16	95
		189	—	12	14
		190	—	05	82
		194/3	—	16	95
		197/2	—	16	44
		211	—	—	51
		212	—	22	25
		213/1	—	16	95
		214	—	04	30
		215/2	—	12	90
		228	—	11	13
		229/1	—	3	79
		229/2	—	04	56

[R-31015/2/90-ORI]

KULDIP SINGH, Under Secy.

सूचना और प्रसारण मंत्रालय

शुद्धिपत्र

नई दिल्ली, 5 मार्च, 1991

का. आ. 837:—केन्द्रीय फिल्म प्रमाणन बोर्ड के पुनर्गठन के बारे में हम मंत्रालय की दिनांक 19-2-1991 की अधिसूचना सख्या 809/1/91-एफ(सी) में “7. श्रीमती सरोजिनी मुथैया” के स्थान पर “7. श्रीमती देवकी मुथैया” पढ़ा जाए।]

[फाइल नं. 809/1/91-एफ(सी)]

टी.एस. आरएस, डेस्क अधिकारी

MINISTRY OF INFORMATION & BROADCASTING

CORRIGENDUM

New Delhi, the 5th March, 1991

S.O. 837.—In this Ministry's Notification No. 809/1/91-F(C) dated 19-2-91 regarding reconstitution of the Central Board of Film Certification, for “7. Smt. Sarojini Muthiah”, read “7. Smt. Devaki Muthiah”.

[File No. 809/1/91-F(C)]

T. S. ARASU, Desk Officer

आदेश

नई दिल्ली, 6 मार्च, 1991

का. आ. 838 :—भारत सरकार के सूचना और प्रसारण मंत्रालय के आदेश संख्या का. आ. 3792, दिनांक 2 दिसंबर, 1966 की प्रथम अनुसूची में विनिर्दिष्ट प्रत्येक अधिनियम के उपबंध के अंतर्गत जारी निर्देशों के अनुसरण में, केन्द्रीय सरकार एतद्वारा फिल्म सनाहकार बोर्ड बम्बई की सिफारिशों पर विचार करने के उपरान्त, संलग्न अनुसूची के काष्ठ 2 में विनिर्दिष्ट फिल्मों को, जिसका/जिनका विवरण उपर्युक्त अनुसूची के काष्ठ 6 में दिया गया है, उसके उनके सभी भाषा रूपांतरों के साथ स्वीकार करती है।

(1-10-1980 से 31-12-1990 तक अनुमोदित फिल्में)

अनुसूची

क्र.सं.	फिल्म का शीर्षक	फिल्म की लंबाई (मीटर में)	आवेदनकर्ता का नाम	निर्माता का नाम	संक्षिप्त रूपरेखा कि क्या फिल्म वैज्ञानिक फिल्म है या शैक्षिक उद्देश्यों के लिए है या समाचारों और सामयिक घटनाओं से संबंधित फिल्म है या वृत्तचित्र है।
1	2	3	4	5	6
1	मोहिनीयाटम	583.00	फिल्म प्रभाग, भारत सरकार, 24 पैडर रोड, बम्बई-400026	“डाक्यूमेंटरी” के रूप में सामान्य प्रदर्शन।	
2	जन्मभूमि (भाग I—कश्मीर)	567.00	फिल्म प्रभाग, भारत सरकार, 24 पैडर रोड, बम्बई-26	“डाक्यूमेंटरी” के रूप में सामान्य प्रदर्शन।	
3	इल्यूशन एंड रियल्टी	304.00	—तथैव—	—तथैव—	

1	2	3	4	5	6
4.	वार्ता तरंगिनी 166	280.10	आंध्र प्रदेश राज्य फिल्म विकास निगम, हैदराबाद	आंध्र प्रदेश सफिट में "समाचार एवं समसामयिक घटनाओं के रूप में प्रदर्शित	
5.	वार्ता तरंगिनी 167	280.18	—तथैव—	—तथैव—	
6.	समाचार पत्रिका संख्या 180	531	फिल्म प्रभाग, भारत सरकार, 24 पैडर रोड, बम्बई-26	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन	
7.	विल्ड्रम आफ उमंग लैस	596.65	श्री कल्याण कुमार नियोगी, 368, जोधपुर पार्क, कलकत्ता-68	—तथैव—	
8.	महाराष्ट्र न्यूजरील नं. 450	298.00	श्री बी. पी. भोंडे, सहायक निदेशक, सूचना एवं जनसंपर्क निदेशालय, महाराष्ट्र सरकार, 68, नाइवेव रोड, बम्बई-34	महाराष्ट्र सफिट में "समाचार एवं समसामयिक घटनाओं के रूप में प्रदर्शित।	
9.	वि स्टोरी आफ पोसपुल्ली	361	फिल्म प्रभाग, भारत सरकार, 24 पैडर रोड, बम्बई-26	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।	
10.	एंड दैन वि फ्लड्स	381	—तथैव—	—तथैव—	
11.	न्यूज मैगजीन नं. 181	347	फिल्म प्रभाग, भारत सरकार, 24 पैडर रोड, बम्बई-26	समाचार एवं समसामयिक घटनाओं के रूप में सामान्य प्रदर्शन	
12.	इंडिया-91	476	—तथैव—	—तथैव—	
13.	मजिन घोर भी है	313.44	—तथैव—	—तथैव—	
14.	बबरायें मन	39.00	—तथैव—	—तथैव—	
15.	वार्ता तरंगिनी 16	280.18	आंध्र प्रदेश राज्य फिल्म विकास निगम, हैदराबाद	आंध्र प्रदेश सफिट में "समाचार एवं समसामयिक घटनाओं के रूप में प्रदर्शित।	
16.	एनजी सेविंग थु रेक्टिफिकेशन इन एपी पंप	304	श्री बाल एम. जोगलेकर, 7/6, शिवाजी नगर, वर्ली, बम्बई-25	महाराष्ट्र सफिट में डाक्यूमेंटरी के रूप में सामान्य प्रदर्शन।	
17.	दस्तून का घरेलू उपहार	59	फिल्म प्रभाग, भारत सरकार, 24 पैडर रोड, बम्बई-26	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।	
18.	स्वाभिमान	459.02	श्री बी. पी. भोंडे, सहायक निदेशक (फिल्म), सूचना एवं जनसंपर्क निदेशालय, महाराष्ट्र सरकार, 38, नाइवेव रोड, बम्बई-34	महाराष्ट्र सफिट में डाक्यूमेंटरी के रूप में प्रदर्शित।	
19.	महाराष्ट्र न्यूजरील नं. 451	315	—तथैव—	महाराष्ट्र सफिट में समाचार एवं समसामयिक घटनाओं के रूप में प्रदर्शित।	
20.	न्यूज मैगजीन नं. 183	343	फिल्म प्रभाग, 24 पैडर रोड, बम्बई-26	समाचार एवं समसामयिक घटनाओं के रूप में सामान्य प्रदर्शन।	
21.	न्यूज मैगजीन	415	—तथैव—	—तथैव—	
22.	न्यूज मैगजीन नं. 185	364	—तथैव—	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।	
23.	प्रिसेंट रेनीज	297	—तथैव—	—तथैव—	
24.	उत्थान	252.98	सहायक सूचना निदेशक (फिल्म), गुजरात सरकार, रायनोई रिमर्च सैब. लि., 77, डा. एनी बेसेंट रोड, वर्ली, बम्बई-18	"डाक्यूमेंटरी" के रूप में गुजरात में प्रदर्शित।	
25.	महिनि चित्र नं. 497	161.54	—तथैव—	गुजरात में "समाचार एवं समसामयिक घटनाओं के रूप में प्रदर्शित।	

ORDER

New Delhi, the 6th March, 1991

S.O. 838. -In pursuance of the directions issued under the provisions of each of the enactments specified in the first Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated 2nd December, 1966 the Central Government after considering recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in column 6 of the said Schedule pertaining to the period 1-10-1990 to 31-12-1990.

SCHEDULE

S. No.	Title of the film	Length of the film in metres	Name of the Applicant	Name of the Producer	Brief synopsis whether a scientific film or for educational purpose or a film dealing with new & current events or documentary film
1	2	3	4	5	6
1.	Mohiniyattam	583.00	Films Division, Govt. of India, 24- Peddar Road, Bombay-400 026.		General release as 'Documentary'
2.	Janmabhoomi (Episode I-Kashmir)	567.00	-do-		General release as 'Documentary'
3.	Illusion and Reality	304.00	-do-		-do-
4.	Varta Tarangini-166	288.10	Andhra Pradesh State Film Development Corporation, Hyderabad		Release in AP circuit as "News & Current Events."
5.	Varta Tarangini-167	280.18	-do-		-do-
6.	News Magazine No. 180	531	Films Division, Govt. of India, 24-Peddar Road, Bombay-400 026.		General release as 'Documentary.'
7.	Children of Umang Laik	599.65	Shri Kalyan Kumar Neogi, 368, Jodhpur Park, Calcutta-68		-do-
8.	Maharashtra New-reel No. 450	298.00	Shri V.P. Bhonde, Asstt. Dir., Dte. General of Inf. & Publ. Govt. of Maharashtra, 68, Tardeo Road, Bombay-34.		Rel. in Maharashtra circuit as "News and Current events".
9.	The Story of Polpully	361	Films Division, Govt. of India, 24-Peddar Road, Bombay-26.		General release as "Documentary"
10.	And Then the Floods	381	-do-		-do-
11.	News Magazine No. 181	347	-do-		Gen. release as "News & Current Events"
12.	India 91	476	-do-		Gen. rel. as 'Documentary'
13.	Manzil-en Aur Bhi Ham	313.44	-do-		-do-
14.	Gabraaye Mat	39.00	-do-		-do-
15.	Varta Tarangini No. 167	280.18	Andhra Pradesh State Film Development Corporation, Hyderabad.		Rel. in A.P. circuit as "News & Current Events"
16.	Energy Saving through Rectification in Agri. Pump	304	Shri Bal M. Joglekar, 7/6, Shivaji Nagar, Woli, Bombay-400 025		Gen. Rel. in Maharashtra circuit as "Doc."

1	2	3	4	5	6
17.	Dastoon Ka Ghareloo Upahar	59	Films Division, Govt. of India, 24-Peddar Road, Bombay-26.		Gen. release as "Documentary"
18.	Swabhimaan	459 02	Shri V.P. Bhonde, Asstt. Dir. (Films), Dir. Gen. of Inf. & Pub. Rel., Govt. of Maharashtra, 38-Tardeo Road, Bombay-34.		Rel. in Maharashtra circuit as "Documentary"
19.	Maharashtra New-reel No. 451	315	-do-		Rel. in Maharashtra circuit as "News & Current Events".
20.	News Magazine No. 183	343	Films Division, 24-Peddar Road, Bombay-26.		Gen. release as "News & Current Events."
21.	News Magazine No. 184	415	-do-		-do-
22.	News Magazine No. 185	364	-do-		Gen. release as "Documentary"
23.	Prevent Rabies	297	-do-		-do-
24.	Utthan	252.98	Asstt. Dir. of Inf. (Films) Govt. of Gujarat, Ramnord Research Lab. Ltd., 77, Dr. Annie Besant Road, Worli, Bombay-18.		Rel. in Gujarat as "Documentary."
25.	Mahiti Chitra No. 497	161.54	-do-		Rel. in Gujarat as "News and Current Events"

[F. No. 315/1/90-F(P)]

VIJAY KUMAR, Desk Officer

जल भूतल परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 7, मार्च, 1991

(वाणिज्य पोत परिवहन)

क्रा० बा० 839 - केन्द्रीय सरकार, वाणिज्य पोत परिवहन अधि-यम, 1958 (1958 का 44) की धारा 101 की उपधारा (2) के खंड (छ) के अनुसरण से और भारत सरकार की अधिसूचना संख्या का. घा. 2473 तारीख 15 जुलाई, 1975 को अधिकांत करते हुए, नीचे दी गई अनुसूची में प्रत्येक नाविक को दी जाने वाली न्यूनतम रसद का मान नियत करती है :-

अनुसूची

पोत के स्वामी अधिकारी और मास्टर से किए जाने वाले करार पर हस्ताक्षर करने वाले प्रत्येक विदेशगामी नाविक के लिए रसद का पुनरीक्षित मान :

1. चावल (क)	दैनिक	350 ग्राम
2. भाटा या डबल रोटी (यदि व्यावहारिक होगा तो डबल रोटी प्रतिदिन उपलब्ध कराई जाएगी) (ख)	दैनिक जिससे से 80 160 ग्राम ग्राम भाटा होगा	
3. दाल-गुजर, मूंग, मसूर या खंडित मटर (मटर दाल) (क)	दैनिक	80 ग्राम

4. ताजी मछली (साबुत), जहाँ उपलब्ध हो विभिन्न प्रकार की उपलब्ध कराई जाएगी (ग)	दैनिक	130 ग्राम
5. ताजा मांस (अस्थि और सामान्य चरबी सहित) चरबी 1/7 ग्राम से अधिक न हो (घ)		170 ग्राम
6. सफ़जी (क)	दैनिक	395 ग्राम
7. खाद्य तेल (च)	"	80 ग्राम
8. घी (एगमार्ग या अन्य अच्छी क्वालिटी) (क)	"	25 ग्राम
9. करी की सामग्री (छ)	"	75 ग्राम
10. इमली या कोकम	"	10 ग्राम
11. नमक	"	25 ग्राम
12. अचार या चटनी	"	15 ग्राम
13. मक्खन	"	25 ग्राम
14. चाय और/या कॉफी (ज)	"	20 ग्राम
15. जाम	"	15 ग्राम
16. चीनी	"	60 ग्राम
17. संघनित दूध	प्रति सप्ताह	400 ग्राम या 1 टिन लगभग 400 ग्राम
18. मुरी (साफ की हुई)	सप्ताह में एक बार	225 ग्राम

19. अण्डे	प्रतिदिन	2
20. फल	(अ)	एक पूरा फल या 115 ग्राम
21. आईसक्रीम (जब न दी जाए, तब फल दिये जाएं)	सप्ताह में एक बार	115 ग्राम
22. नीबू रस	दैनिक	15 ग्राम
23. जल	सप्ताह	28 क्वार्टर
24. मांसो निवृष्ट (1)	दैनिक	15 ग्राम
25. पनीर दही (2)	प्रति सप्ताह	90 ग्राम 100 ग्राम दही
26. विभिन्न सब्जियां	दैनिक	10 ग्राम
27. ताजा दूध (3)	प्रति सप्ताह	1 पिट
28. जलपान के लिए सीरियल	दैनिक	15 ग्राम
29. बिस्कुट	प्रति सप्ताह	100 ग्राम

(कोष्ठकों में के शब्दों के लिए नीचे दिए गए तस्मबंधी टिप्पण देखें)
स्पष्टीकारक टिप्पण:—

जब कोई नाविक बीमार हो और काम पर न हो, तब उसे आवश्यकता के अनुसार, अरारोट या साबुदाना के साथ बिस्कुट, चाय या काफी और चीनी दी जाएगी।

(क) खराब मौसम में जब चावल और दाल पकाना संभव न हो, तब 185 ग्राम बिस्कुट और प्रतिरिक्त 60 ग्राम चीनी दी जाएगी।

(ख) जब डबलरोटी न दी जाए, तब 160 ग्राम आटा दिया जाएगा।

(ग) जब ताजी मछली उपलब्ध न हो तो उसके बबले 1:2 के अनुपात में टिन बॉक्स मछली या अचार वाली हैरिंग दी जाएगी।

(घ) जिन नाविकों को गो-मांस या सूअर का मांस खाने में आपत्ति हो, उन्हें भेड़ का मांस दिया जाएगा।

(ङ) 395 ग्राम सब्जी में, 100 ग्राम आलू, 100 ग्राम प्याज, 50 ग्राम सलाद समूह की सब्जियां जिनमें टमाटर सम्मिलित है, 145 ग्राम ताजी सब्जियों जैसे सेम, बैंगन, अंकुरित धान्य, बंद गोबी, फूल गोबी, भिंडी, शिमला मिर्च या मटर या विविधता खाने के लिए उपयुक्त उपलब्ध वैकल्पिक सब्जियां दी जाएगी। यथा संभव, सप्ताह में कम से कम एक बार टमाटर दिए जाएं। एक ही प्रकार की सब्जियों लगातार दो दिन से अधिक न दी जाएं।

जहां ताजी सब्जियां उपलब्ध न हों तो निर्जलित सब्जियां 1:4 के अनुपात में दी जा सकती हैं।

(च) मुम्बई के नाविकों के लिए तेल या कर्डी का तेल; कलकत्ता के नाविकों के लिए सरसों का तेल जहां उपलब्ध हो; अन्यथा नारियल या मुगफली का तेल।

(छ) 25 ग्राम करी-नामग्री में 19 ग्राम लाल मिर्च, धनिया, हरी, सरसों सूखा या हरा लहसुन, या सूखा नारियल और 7 ग्राम "गरम मसाले" अर्थात् पाकचीनी, लांग, इलायची, जीरा कानी मिर्च, खमखम, मूठमेस और जावित्री; जब ताजा नारियल उपलब्ध हो तो सूखे नारियल के स्थान पर वह दिया जाए।

(ज) काफी पाउडर के बजाय जब सैयार काफी दी जाती है तो इसे 1:1 के अनुपात में होना चाहिए।

(झ) जब पपीता, तरबूज आदि जैसे बड़े फल दिए जाते हों, तो उसकी मात्रा 115 ग्राम होगी।

(ञ) उस अवधि के दौरान जिसमें नीवहन महानिदेश खाद्यान्न की कमी घोषित कर देते हैं और अपेक्षित मात्रा में चावल उपलब्ध न हो, तो चावल की दैनिक मात्रा 25 ग्राम के एकको में कम की जाए, और उसकी अतिपूर्ति के रूप में अन्य मदों की मात्राएं नीचे दिए विवरण अनुसार बढ़ाई जाएं:—

10 ग्राम ताजी मछली, या

5 ग्राम मांस, या

50 ग्राम सूखी सब्जियां, या

25 ग्राम ताजी सब्जियां।

[(ट) जब कभी वस्तुएं टिन के आकानों में दी जानी हों, तो उक्त मात्रा के अनुसार निकटतम ग्राम बजन के मानक वौक्य नाविकों को स्वीकार्य होगी।

सर्वे मौसम की मात्रा

सर्वे मौसम में, प्रतिदिन 10 ग्राम चाय या काफी, 10 ग्राम चीनी और 5 ग्राम संघनित दूध प्रतिदिन दिए जाएं। सर्वे मौसम में नीबू का रस नहीं दिया जाएगा।

"सर्वे मौसम" के लिए मात्राएं इस प्रकार होंगी:—

(1) अक्टूबर से मार्च महीनों के दौरान जिनमें दोनों माघ सम्मिलित है उत्तरी गोलार्ध में एटलांटिक समुद्र में 30 अंश उत्तर के उत्तर में और अन्यत्र 24 अंश उत्तर के उत्तर में,

(2) मई में मितम्बर महीनों के दौरान, दक्षिणी गोलार्ध में तथा 30 अंश दक्षिण के दक्षिण में लागू होगी।

टिप्पण

1. अष्टिष्ठ मास से अभिप्रेत है: गुर्दे, जिगर, गुलमें, भेजा, गुट्टे और शूकर मांस
2. दही जहां उपलब्ध हो, पनीर के स्थान पर दिया जाएगा।
3. अभी तक ताजा दूध केवल टैकरो में प्रदाय किया जाता था। अब यह सभी जहाजों में प्रदाय किया जाएगा और तदनुसार टैकों में ताजे दूध से संबंधित मरूद की जानी है। जहां ताजा दूध उपलब्ध न हो वहां समस्थितकारित या अति ऊष्मा उपचारित दूध का प्रदाय किया जाएगा।

राष्ट्रीय अवकाश और धार्मिक त्योहार।

खंड 80 (करार, 1988 के एम एम बी सार का पृष्ठ 30) का संशोधन करके निम्नलिखित मदे जोड़ी जाती है:—

(1) गर्म मसाला . 5 ग्राम

(2) वनस्पति घी : 5 ग्राम

(3) पारम्परिक मिष्ठान

निम्नलिखित अभिरिक्त पाव टिप्पणी सहित।

(क) "जहां व्यावहारिक हों वहां जहाज पर के सारे कामकाज के लिए पर्याप्त मात्रा में पारम्परिक मिष्ठान मुख्य रसोई में नैयार किया जाना चाहिए।

[(ख) क्रिसमस के दिन गर्मी के स्थान पर शीत पकाया जाना चाहिए

[फा. सं. बी - 11013/28/90-एमटी]

के. पद्मनाभाचार, अवर सचिव

MINISTRY OF SURFACE TRANSPORT

(Shipping Wing)

New Delhi, the 7th March, 1991

(Merchant Shipping Wing)

S.O. 839.—In pursuance of clause (g) of sub-section (2) of section 101 of the Merchant Shipping Act, 1958 (44 of 1958) and in supersession of the Government notification S.O. No. 2473 dated 15th July, 1975, the Central Government hereby fixes in the Schedule below the scale of the provisions which are to be furnished to each seaman as the minimum provisions :—

SCHEDULE

Revised scale of provisions for each foreign-going seaman signing an agreement with the owner/agent and the master of the ship :—

1. Rice (a)	Daily	350 Grms.
2. Flour or Atta and bread (bread to be made available daily when practicable) (b)	Daily of which 80 grms shall be flour or atta.	160 „
3. Dal-Tur, Moong, Mansoor or Split Peas (a)	Daily	80 „
4. Fresh Fish (Whole) variety to be supplied, where available (c)	„	130 „
5. Fresh Meat (with bones and normal fat (fat not to exceed 1/7th portion (d))	„	170 „
6. Vegetable (e)	„	395 „
7. Edible Oil (f)	„	80 „
8. Ghee (Agmark or other good quality)	„	25 „
9. Quarry stuff (g)	„	35 Grms.
10. Tamarind of Cocum	„	10 „
11. Salt	„	25 „
12. Pickle or Chutney	„	15 „
13. Butter	„	25 „
14. Tea and/or Coffee (h)	„	20 „
15. Jam	„	15 „
16. Sugar	„	60 „
17. Condensed Milk	per week	400 „
		or 1 tin Appx.
		400 grms.
18. Chicken (Eviscerated)	once a week	225 Grms.
19. Eggs	Daily	2
20. Fruit (i)	„	One whole piece or 115 grms.
21. Ice-Cream—(when not supplied, fruit will be supplied)	once a week	115 grms.
22. Lime Juice	Daily	15 „
23. Water	per week	28 Qrts
24. Offal Meat (1)	Daily	15 Grms.
25. Cheese/Curd (2)	per week	70 gms. of cheese 100 gms. of curd
26. Sauces various	Daily	10 gms.
27. Fresh Milk (3)	per week	1 Pint
28. Breakfast cereals	Daily	15 gms.
29. Biscuits	per week	100 gms.

(for the alphabets in brackets above, see corresponding note below)

Explanatory Note :—

When a seaman is sick and off duty, biscuits, tea or Coffee and sugar shall be given to him with arro-root or sago as needed.

- In bad weather, when unable to cook rice and Dal, 185 Grams of biscuits and additional 60 Grams of sugar shall be substituted.
- When Bread is not supplied 160 Grams. of flour or atta shall be supplied.
- When fresh fish is not available, tinned fish or pickled herrings shall be supplied in lieu of fresh fish, in the proportion 1:2.
- Mutton shall be supplied to seamen who decline to take beef or pork.
- Out of 395 Grams. of vegetables, 100 Grams, shall be Potatoes, 100 Grams. shall be Onions, 50 Grams. shall be salad group including Tomatoes and 145 Grams. Fresh Vegetables like Beans, Brinjals, Brussels Sprouts Cabbage, Cauliflower, Ladies Fingers, Capsicum or peas or suitable available alternatives shall be supplied in order to provide variety.

As far as possible, Tomatoes should be supplied at least once a week. The same vegetables should not be repeated on more than two consecutive days. When fresh vegetables are not available, dehydrated vegetables can be supplied in the proportion 1:4.

- Til or Kardai oil for Bombay seamen; Mustard oil for Calcutta seamen whenever available; coconut or Groundnut oil otherwise.
- Out of 25 Grms. of curry stuff, 19 Grms. should consist of red chillies, coriander seeds, turmeric, mustard, dry or green garlic, desiccated or dry coconut, and 7 grms 'Garam Masala' i.e. cinnamon, cloves, cardamom, cummin seeds, black papper, poppy seeds, nutmes, and mace. When fresh coconut is available, it shall be supplied in place of dry or desiccated coconut.
- When instant coffee is supplied instead of powdered coffee, it should be in the proportion of 1:4.
- When large fruit such as Papay, Water Melon etc. is supplied, it shall be 115 Grams.

During such periods as may be declared periods of food-grains scarcity by the Director General of Shipping, if and when rice is not available in the quantities required, the daily scale of rice may be reduced in units of 25 grams., and as compensation therefore, the scale of other items shall be increased per day as indicated below :—

- 10 Grams of fresh fish or
- 5 Grams of meat, or
- 50 Grams of dry vegetables, or
- 25 Grams of fresh vegetables.

Whenever provisions are issued in tinned containers, the standards packings nearest to the grams weight as per above scale will be accepted by the seamen.

COLD WEATHER SCALE :

In cold weather, an additional 10 grams. of tea or Coffee, 10 grams of sugar and 5 grams of condensed milk shall be supplied daily. No Lime Juice will be supplied in cold weather.

The scale for 'Cold Weather' shall apply—

- In the Northern Hemisphere during the months of October to March both inclusive and North of 30° N in the Atlantic Ocean and elsewhere North of 24° N.
- In the Southern Hemisphere during the months of May to September both inclusive and South of 30° S.

NOTES

1. Offal Meat Means : Kidney, liver, sausages, Brain, Ham and Bacon.

2. Curd is to be supplied where available in lieu of Cheese.

3. Hitherto fresh milk was supplied only on tankers. It should now be supplied on all ships and accordingly the item on tankers regarding fresh milk stands cancelled. Where fresh milk is not available homogenised or ultra heat treated milk is to be supplied

NATIONAL HOLIDAYS AND RELIGIOUS FESTIVALS:

Clause 80 (page 30 of NMB Summary of Agreement, 1988) is amended to add the following items :—

- Garam Masala : 5 grams.
- Vegetable Ghee : 5 grams.
- Traditional Sweet Dessert along with the additional foot notes :
 - "Where practicable the traditional sweet dessert should be prepared in the main galley in sufficient quantity for all personnel on board."
 - On Christmas Day Turkey may be substituted for chicken.

[File No. B-11015/28/90-MT]

K. PADMANABHACHAR, Under Secy.

भारत मंत्रालय

नई दिल्ली, 22 फरवरी, 1991

का. आ. 840:—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेट्रल बैंक ऑफ इंडिया के प्रवर्तन के संघ निपोजकों और उनके कर्मचारियों के बीच अनुषंग में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 21-2-91 का प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 22nd February, 1991

S.O. 840.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on 21-2-1991.

ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Disputes No. 85/88 & 112/89

In the matter of dispute between :

Shri N. K. MATHUR, Secretary Central Bank of India Employees Association, 125/59, Block L Govind Nagar, Kanpur.

Shri A. K. Shukla, Secretary, Central Bank of India Employees Association, 38, Arya Nagar, Lucknow.

AND

The Regional Manager, Central Bank of India Regional Office Pandu Nagar, Kanpur.

AWARD

1. The Central Government Ministry of Labour, vide its notification nos.—

I-12012/847 87-D-2 (A) dated 3 July, 1988.

I-12012/721/88-D-2 (A), dated 2 May, 1989.

has referred the following disputes for adjudication to this Tribunal :—

Kya Central Bank Employees Association Kanpur ki 1-1-1987 se sthanapanna bhattey ke liye in tatha sarvodaya nagar shakna men Assistant Cashier Shri A. K. Agrawal ko Head Cashier Shreni 'G' ke roop mein namati karmen ki mang nyayochit hai ? Yadi Ha to sambandhit karmkar kis anuthosh ka haqdar hai ? (Vide Reference Order dated 2-7-88).

Whether the action of the management of Central Bank of India in not promoting Shri A. K. Agrawal as Head Cashier-C in pursuance of seniority list dated 1-9-1982 is justified ? If not, to what relief is the workman concerned ?

(Vide reference order dated 2-5-1989).

2. These are two connected cases. They were consolidated vide order dated 18-10-1989 passed in J. D. No. 85 of 88. I. D. No. 85/88 is the leading case.

3. The facts of the two cases can be conveniently divided in two parts. As regards the first part the admitted facts are that Shri A. K. Agrawal, workman is posted as Teller at Sarvodaya Nagar Branch Kanpur of the Central Bank of India. The workman was offered the post of Head Cashier Category 'C' (hereinafter referred to as HCCC for the sake of brevity), vide Divisional Office Kanpur letter dated 25-11-1982, copy Ext. W-1 (I. D. No. 112/89). The letter was received by the workman on 7-12-1982 by means of the said letter the workman was required to give his consent in writing within three days of the receipt of the letter failing which the bank would presume that he was not interested in accepting the said offer and thereafter he would be debarred permanently from the post of Head Cashier. Before the period 3 days could expire the Divisional Office Kanpur vide its letter dated 8-12-1982 copy Ext. W-3 (I. D. No. 112/89) debarred the workman from the post of HCCC for a period of 36 months w.e.f. 8-12-1982. This letter was received by the workman on 30-12-1982. In both the cases the dispute has been raised on behalf of the workman by Central Bank of India Employees Association (hereinafter referred to as Union for the sake of brevity). The Union's case is that the workman acknowledge the offer made to him for the post of HCCC by the Divisional Office Kanpur. He never declined the offer. Therefore, the action of the management to debar the workman who was eligible for his posting as HCCC on the basis of seniority list as on 1-9-1982 is neither legal nor justified.

3. On the other hand the defence set up by the management is that the workman simply acknowledge the offer on 7-12-1982 by putting his signatures on the letter dated 25-11-1982. He never gave his acceptance as required by the said letter till he was debarred by means of subsequently divisional office letter dated 8-12-1982. Hence the action of the management is neither illegal nor unjustified.

4. With regard to the second part of the case, the admitted facts are that as per Rules the workman remained debarred for being considered for the post of HCCC till December, 1985. His name appeared again in the seniority list as on 1-3-1986 for his posting as HCCC.

5. The Union's case is that there occurred a permanent vacancy of HCCC at Nayaganj Branch of the Bank on 1-1-1987 due to the promotion of Shri Raj Kumar Samual. As per Rules of the Bank, the workman should have been offered the said post, but instead of giving him an officiating chance on the said post, one Shri Parmjit Singh who was junior to the workman was allowed to officiate on the said post. Thus the management's action cannot be sustained. It is illegal and unjustified. On the other hand, the management plead that the workman remained debarred, from posting as HCCC till December, 1985. His name again appeared for his posting as HCCC in the seniority list as on 1-3-1986. In the said seniority list whereas the name of Shri S. S. L. Sharma appeared at serial No. 1 the name of the workman appeared at Serial No. 2. The management further plead that two vacancies of HCCC were created during the period 1985 & 1986, at Kotra Branch & BNSD Extension Counter respectively. Posting as HCCC at Kotra Branch which was

created at the end of 1985 was made on the basis of seniority list dated 1-9-1985 in which the name of Paramjit Singh was at serial No. 1. Similarly the posting of HCCC at BNSD Extension Counter was made on the basis of seniority list dated 1-9-1986, and Shri S.S.L. Sharma whose name appeared at serial No. 1 in the said seniority list was given that posting. The post of HCCC at BNSD Extension Counter branch was created in December, 1986. According to the management the post of HCCC is not a Promotion Post. It is merely a placement in the same cadre. The Rules for such placement are governed by the Promotion Policy Agreement (hereinafter referred to as PPA for short) dated 20-12-1975, as amended and modified from time to time. Thus on no ground, the action of the management can be challenged by the Union.

6. In its rejoinder, the Union has alleged that on 1-3-1986 there existed a clear vacancies of HCCC at the following branches of the bank :—

1. Bhind Branch—created in 1984.
2. Kotra Branch—created in 1985.
3. BNSD Extension Counter—created in 1986 &
4. Nayaganj Branch Evening Extension Counter—created on 1-1-1987

According to the Union the Head Cashier posted at BNSD College Extension Counter Kanpur was placed under suspension necessitating the posting of senior most cash clerk on station wise seniority basis for discharging officiating duty at the said Extension Counter. But the management in violation of the norms laid down in the PPA gave the officiating chance to Shri Paramjit Singh who was then working in the Cash Department of the Karanbhikhan Branch although he was junior to S/Shri S.S.L. Sharma and the workman working in other branches. The Union alleges that vide R. M. Memo dated 13-3-1986, the workman was called upon to give his consent to work on the post of HCCC and the workman gave his consent regarding it on 16-3-1986. The name of the workman again appeared in the seniority list drawn on 1-9-1986, counting the names of persons eligible for posting as HCCC. Not only this his name again appeared in the next seniority list on 1-1-1987. The name of Shri Paramjit Singh however did not appear in such seniority list drawn on 1-3-1986, 1-9-1986 and 1-1-1987. Despite that the management while appointing Shri Paramjit Singh as HCCC designated him as HCCC with retrospective effect i.e. 28-2-1986 in violation of PPA. Therefore, under no circumstances, the action of the management can be justified.

7. In support of its case, the Union has examined Shri A. K. Agrawal and has relied upon a number of documents. On the other hand, the management have examined Shri Naresh Malhotra, Regional Manager of the Bank at Kanpur.

8. Ext. W-1 (ID 112/89) is the copy of Divisional Office Kanpur letter dated 25-11-1982, offering to the workman the post of HCCC. It was stated in the letter that as HCCC he would be entitled to special allowance Rs. 171/- as per Bipartite Settlement. It was further stated in the letter that he would be on probation for a period of one year from the date of his posting subject to confirmation thereafter. The letter required of him to give his written consent within three days of the receipt of the letter failing which bank would presume that he was not interested in accepting the offer and thereafter he would be debarred permanently from the post of HCCC. This letter was received by the workman on 7-12-1982, as per his endorsement on it.

9. Ext. W. 3 (ID No. 112/89) is the copy of Divisional Office Letter dated 8-12-1982. By means of it the workman was debarred for a period of 36 months w.e.f. 8-12-1982 on the ground of his failure to accept the offer. This letter was received by him on 30-12-1982 as is admitted to both the sides.

10. I may state here that in November & December 1982 the workman was posted as Assistant Cashier cum Godown Keeper at Nayaganj, Kanpur. It is very strange that the two letters were received by him so late. There is no doubt that the Divisional Office Kanpur wrote the letter dated 8-12-1982 before the expiry of period of three days from the date of receipt of the previous letter dated 25-11-1982, one thing

stand proved from the records that the workman did not convey his acceptance within three days. In this regard he wrote it for the first time on 21-1-1983 vide copy of letter Ext. W- 4 (I. D. No. 112/89). In second part of his letter dated 21-3-1983, he writes that immediately on receipt of letter dated 8-12-1989, he wrote a letter on 30-12-1982 expressing his regret for the lapses on his part. The copy of this letter has not been filed by the Union in order to know as to what was written by him in his said letter dated 30-12-1982. However, in his said letter dated 21-1-1983, he expressed his willingness to go to any office where there exists vacancy of HCCC. Ext. W. 7 is the copy of letter dated 15-3-1983, from the workman to the Branch Manager of the Bank Kanpur in which he has written for reconsideration of the matter and for giving of a chance of posting of HCCC. In para 1 he writes in clear terms that he forget to give separate consent letter as desired by the Divisional Office, Kanpur, by means of its letter dated 25-11-1982. Here, I would like to refer to what he has deposed in his cross examination. He admits that he did not give his consent/acceptance of the offer made to him within the stipulated time.

11. It has been argued by Shri Shukla on behalf of the Union that the action of the management in debarring the workman for a period of 3 years cannot be held as justified as the said letter was issued to the workman before expiry of three days from the date of receipt of the letter of offer. According to him there is no provision in the PPA about debarment. In support of his argument he has referred to para 1.4.1 of the PPA. According to him the workman could have been debarred for posting as HCCC for a period of 3 years only if he had been issued a letter of posting and he had failed to join at the place of his posting within a period of 21 days from the date of receipt of the order of posting. On the other hand it has been contended by Shri Rakesh Tondon, the authorised representative for the management, that there is no force substance in the submissions made by Shri Shukla. Shri Tondon has submitted that the relevant part of PPA is para 10.3 and not para 1.4.1. Para 1.4.1 applies to a case of promotion. The posting of a clerk as HCCC is not promotion within the provisions of bipartite settlement. Posting as HCCC simply entitles the clerk to a special functional allowance only. Para 10.3 is found in Chapter 10 relating to posting of Head Cashiers in Clerical Cadre. According to it if a clerk working refuses to accept the post of Asstt. Head Cashier/HCCC/HCCF he shall be debarred for 3 years from the date of such refusal from the said posting.

12. After considering the relevant provisions of PPA I find myself in complete agreement with the submissions made by Shri Rakesh Tondon. The relevant para of PPA applicable to the case of workman is para 10.3 and not para 1.4.1. It has been rightly contended by Shri Tondon that para 1.4.1 applies to a case of promotion and that the posting of a clerk as HCCC is not a promotion in terms of the provisions of any bipartite settlement. Such a posting simply attracts special functional allowance.

13. Even if it be assumed that para 1.4.1 does apply then also the workman has no case at all. Para 10.3 and para 1.4.1 will be taken as referring to the two different stages at which refusal on the parts of the Clerk to whom an offer of posting as HCCC has been made will be presumed. Para 10.3 refers to a case when the Clerk refuses to accept the offer of posting as HCCC and para 1.4.1 refers to a case where the Clerk has accepted the offer of posting under HCCC but later on when order of his posting of a certain place is issued, he fails to join at the said place of posting within a period of 21 days from the date of receipt of the written order.

14. There also does not seem to be much force in the submissions made by Shri Shukla that letter debarring the workman from his posting as HCCC was issued before the expiry of three days from the date of receipt of letter of offer. In fact if we go through the letter of offer dated 25-11-1982 we will find that it is a self contained letter in which it has been clearly stated that if the workman fails to give his acceptance within three days of its receipt, it would be presumed that he was not interested in accepting the offer and thereafter he would stand debarred permanently from the post of Head Cashier. There is no evidence from the side of the Union/workman that he had sent the acceptance within three days of the receipt of letter of offer dated 25-11-1982.

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15. Hence, the action of the management in debarring the workman from his posting as HCCC for a period of 36 months cannot be assailed on any ground. The action was fully justified in view of the provisions of PPA.

16. Now I come to the Ext. W. 8 (I. D. No. 85/88) is the copy of seniority list as on 1-9-1985 in which the name of Shri Paramjit Singh appeared at serial No. 3. At serial No. 1 and 2 are named two persons with whom we are not concerned at all in this case. In the said list the names of Shri A. K. Agrawal and Shri S.S.L. Sharma do not appear. There was no question of the name of the workman been shown in the said list as he stood debarred till December, 1985.

17. Ext. W. 7 (I. D. No. 85/88) is the copy of seniority list as on 1-3-1986. In it at serial No. 1 is named Shri SSL Sharma and at Serial No. 2, is named Shri A. K. Agrawal, the workman. Similarly in the copy of seniority list as on 1-9-1986, copy Ext. W. 6 (ID No. 85/88) the names of Shri SSL Sharma and workman appear in the same year. At Serial No. 3 & 5 there appear two other names with which we are concerned at all. Ext. W. 5 (I. D. No. 85/86) is copy of seniority list as on 1-1-1987. At serial No. 1 is mentioned the name of the workman.

18. In para 8 & 9 of his affidavit, the management witness has deposed that two vacancies of HCCC during 1985 & 1986 were created at Kotra Branch & BNSD Extension Counter Branch respectively. At Kotra Branch the vacancies occurred at the end of 1985 and on the basis of seniority list dated 1-9-1985, in which the name of Shri Paramjit Singh appeared at serial No. 1, he was posted in that branch and at BNSD Extension Counter Branch the vacancy occurred in October, 1986, and on the basis of seniority list of 1-9-1986, Shri SSL Sharma was posted as his name appeared at Serial No. 1 of the said list.

19. There has been no cross examination of the management witness on the point that vacancies of HCCC occurred at the said two branches at the end of 1985 and in October, 1986. These facts have also been admitted by the workman in para 7 of his affidavit. I may also state here that no challenge has been thrown to the seniority list referred to above from the side of the Union.

20. The question which therefore required to be considered is whether the vacancies were rightly filled up. I fail to understand how it is said that they were not rightly filled up. They were to be filled up on the basis of seniority list as were in existence on the dates on which the vacancies occurred. It has been rightly deposed by the management witness that they were filled up by Shri Paramjit Singh and Shri SSL Sharma on the basis of seniority list of 1985 and 1-9-1986. I, therefore, find no illegality was committed by the management by posting Shri Paramjit Singh as HCCC on the basis of seniority list of 1-9-1985.

21. I may state here that in the reference order giving rise to I. D. No. 85/88, the question of posting of the workman as HCCC at Sarvodaya Nagar Branch is in issue but in his affidavit the workman has not referred to it at all in his affidavit. Even during the course of arguments Shri Shukla, argued for his posting at Nayaganj Branch Kanpur. The Tribunal cannot go beyond the terms of the reference order.

22. Finding no force in the case of the workman espoused by the Union, I answer both the reference order against the Union/workman.

23. Let a copy of this order be placed on the record of I. D. No. 112/89.

ARJAN DEV, Presiding Officer.

[No. L-12012/847/87-D. II(A)]

[No. L-12012/721/88-D. II (A)]

का. भा. 841.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्द्रल बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 841.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on 21-2-91.

ANNEXURE

BEFORE SHRI ARJAN DUV PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, PANDU NAGAR, KANPUR

I.D. No. 50 of 1988

In the matter of dispute between :

Shri Babu Lal C/o Shri P. M. Mishra, General Secretary, C.B. Employees Congress C/o Central Bank of India, Nayaganj, Kanpur.

AND

Dy. G. M. Central Bank of India 23, Vidhan Sabha Marg, Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-12012/586/87 D.II(A), dt. 20-4-1988, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Central Bank of India in dismissing from service Shri Babu Lal is justified ? If not, to what relief is the workman entitled ?

2. The admitted facts are that when Shri Babu Lal was working as Daftri in Raniganj Bazar Branch Balia of the Bank he was served with a memo dt. 19-8-80, in respect of some lapses said to have been committed him. The memo was replied by the workman on 6-9-80. The explanation given by the workman did not find favour with the management. The management, therefore, by means of memo dt. 24-11-80, copy ext. W-3, placed him under suspension with the direction that he would be paid for his first three months at 1/3rd of the pay and allowances and thereafter at one half of the pay and allowance during the period of suspension. Thereafter, he was served with charge-sheet dt. 5/10-8-81, copy Ext. W-4. The charge sheet refers to 8 charges out of which charges nos. 3, 4 and 6 which the enquiry officer found as proved and which are relevant for the purposes of this case read as under :—

3. He was threatening/pressurising the Branch Manager for sanctioning the loans. He was alleged to have threatened the Branch Manager at his residence through some goondas on 9-7-80 for which an FIR has been lodged with the Police Station Bairia on 20-7-80, by the branch manager against two persons viz., Shri Shivanand Singh and Shri Ram Das Singh.
4. Shri Babu Lal has threatened and abused Shri Jaswant Lal, clerk on 22-8-80 for which an FIR has been lodged with the police station Bairia on 23-8-80 by Shri Jaswant Lal, clerk against Shri Babu Lal.
5. He obtained loan of Rs 1500/- on 15-10-79 under DRI in the name of his daughter giving wrong address and cheated the bank. He is charged under para 19.5(i) of the Bipartite Agreement, 1966.

Shri R. R. Gantam was appointed as E.O. who gave his findings on 12-3-84. He found charges nos. 3, 4 and 6 as proved against the workman and other charges as unproved against him, Ext. W-5 is the copy of findings given by the

E.O. The Disciplinary Authority, agreed with the findings given by the E.O. and by means of order dt. 21-6-84, copy Ext. W-6, issued a notice to the workman proposing the punishment of dismissal from service. The disciplinary authority gave the workman a personal hearing against the show cause notice and by means of order dt. 14-12-84, copy Ext. W-7, confirmed, the punishment of dismissal from service on the workman. Against the said order of punishment he filed an appeal before the appellate authority which too was dismissed by means of order dt. 23-9-85, copy Ext. W-8.

3. The workman's case is that the inquiry was not conducted fairly and properly; that findings on charges proved are not based on sufficient evidence, that he was illegally denied full salary and allowances when under the bipartite settlement dt. 8-9-83, he was entitled to full salary and allowances; that the charges were never clear nor specific; that the disciplinary authority had not given reasons with regard to his order imposing the punishment of dismissal from service and that while awarding punishment his past record was not taken into consideration by the disciplinary authority. Lastly, he has alleged that the punishment awarded to him is highly disproportionate to the charges said to have been proved against him.

4. In defence, the management plead that the inquiry officer conducted the inquiry fairly and properly in accordance with the principles of natural justice and that the findings given by him are based on sufficient evidence. According to the management, the orders passed by the disciplinary authority and the appellate authority are valid orders. According to the management the punishment does not call for any interference as it is not excessive.

5. In support of his case, the workman has filed his own affidavit and a number of documents. On the other hand, in support of their case, the management have filed affidavit of Shri S. R. Bhatt, Regional Manager, Varanasi Region.

6. In his cross examination, the workman has admitted that he was informed about the date fixed in the inquiry by the E.O. He has further deposed that he was present on every date fixed in the inquiry. According to him he had seen during the inquiry all those documents on which the management relied. All the witnesses examined by the management at the inquiry were cross examined from his side. He was also given opportunity to lead evidence, oral or documentary, in support of his case. Then he has admitted that after the inquiry officer had given his report he was given a show cause notice regarding the proposed punishment by the disciplinary authority and the disciplinary authority had given him a personal hearing in that matter.

7. Looking to the above statement made by the workman in his cross examination Shri R. K. Pandey, A.R. for the workman, during the course of his arguments, submitted that he did not press the point raised on behalf of the workman that the inquiry was not conducted fairly and properly. He has urged that although findings on charges nos. 3, 4 and 6 are assailable, however, without challenging the findings on charges nos. 3, 4 and 6 he prays that considering the punishment awarded as highly disproportionate the following punishment be awarded instead, to the workman—

1. that the workman be reinstated with half the back wages;
2. that his three increments be stopped permanently; and
3. that the workman need not be paid more than what he had been paid by way of subsistence allowance during the period of his suspension.

On the other hand, it has been argued by Shri A. K. Saxena, A.R. for the management, that findings on issue nos. 3, 4 and 6 are based on sufficient evidence and consequently unassailable. He has further argued that the punishment awarded to the workman cannot be said as disproportionate looking to the nature of charges proved against the workman. I have carefully considered the rival contentions of the parties representatives and have examined the findings on charges nos. 3, 4 and 6. Finding on charge no. 4 appears to be based on a weak type of evidence. The star witness of the management was Shri Jaswant Lal. Neither side has filed the copy of statement of Shri Jaswant Lal. So I shall refer to his testimony from the findings recorded by the E.O. on

charge no. 4. The E.O. writes that Shri Jaswant Lal in his examination in chief confirmed the fact that letter dt. 23-8-80, and the FIR were written by him. However, the witness commented that due to political aspects he had been made a scape goat by Branch Manager. The E.O. further writes that during his cross examination the witness stated that the Branch Manager by deceit got the FIR filed from him. He also writes that the witness had stated that he was threatened by the Branch Manager to write the letter dt. 23-8-80, otherwise he would have to face consequences. Because of these statements I find that the findings on charge no. 4 is based on a weak kind of evidence.

8. Hence, the main charges which can be said to have been proved against the workman are charges nos. 3 and 6. For these two charges the punishment of dismissal from services awarded to him would be too harsh. I appreciate the stand which Shri R. K. Pandey A.R. for the workman, with the consent of the workman has taken on the matter of punishment. It would meet the ends of justice if the punishment as proposed by Shri R. K. Pandey is substituted for punishment of dismissal from service awarded to the workman by the Disciplinary Authority.

9. In view of the above discussion of evidence and circumstances while holding that the domestic inquiry was conducted by the management fairly and properly I hold that the action of the management in awarding the punishment of dismissal from service to the workman is not justified. In view of the charges proved out of several charges the following punishment is awarded to him—

1. I am informed by the authorised representatives of the parties that the workman had reached the maximum of his pay scale on 16-1-1985. In view of it his basic pay shall be reduced by minimising three increments already earned by him. He shall earn his next increment in his pay scale in 1988, second increment in 1989 and third increment in 1990. That is to say he shall reach the maximum of his pay scale in 1990.
2. That the workman would not be paid more than what he had been paid by way of subsistence allowance during the period of suspension, and
3. that the workman would be reinstated but on reinstatement he would get only half the back wages.

The reference is decided accordingly.

ARIAN DEV, Presiding Officer
[No. L-12012/536/87-D.II(A)]

का. आ. 842.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में केन्द्रीय सरकार सैद्धांतिक और इच्छा के प्रबंधन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुसूचन में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचद्वय को प्रकाशित करता है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 842.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on 21-2-91.

ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 197 of 1989

In the matter of dispute between :

Shri B. P. Singh,
C/o The General Secretary,
Central Bank Employees Congress,

MIG-C-1241 Sector-7,
Awasthi Vikas Colony, Rajajipuram,
Lucknow.

AND

The Zonal Manager,
Central Bank of India,
23-Vidhan Sabha Marg,
Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/894/88-1D2(A) dated 18th August, 89 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Central Bank of India in not granting special allowance of Rs. 126/- per month to Shri B. P. Singh, for operating Automax Machine w.e.f. January 1987, is justified ? If not, to what relief is the workman entitled ?

2. The industrial dispute on behalf of the workman Shri B. P. Singh, has been raised by the General Secretary Central Bank Employees Congress (hereinafter referred to as Union). The view of the Union in short is that the workman was appointed as Telex Operator at Zonal Office at Lucknow, on 8-4-85. Besides the salary of a clerk the workman is getting Rs. 145 per month as special allowance for operating Telex Machine. The union further alleges that for speedier communication, the bank installed another hot line Automax System at Bombay with terminal units at different zonal office including Lucknow. At Lucknow, the Automax Machine was installed in the same cabin where the Telex Machine is installed. According to the union, the management forced the workman to operate both the Telex Machine and Automax System Machine. For operating the Automax Machine, the management given the training to the workman at Bombay. The operation of the two machines by one and the same person at a time is not only inhuman but also against the rules of the bank. Protest made by the workman, to the management for keeping another person for operating Automax Machine were not at all heeded by the management. By means of circular No. CO : PRS : POL : 8/ : 95 dt. 17-2-87, the bank prescribed special allowance for operating Automax Machine. The allowance which were Rs. 126/- per month was raised to Rs. 145/- per month w.e.f. 1-11-87. The union further alleges that the bank has employed separate clerks for Automax Machines at different zones, but no separate clerk has been appointed for operating Automax Machine Zonal Office Lucknow. Since, both the Telex Machine and the Automax Machine are being operated by the workman, the union as well as workman requested the management for payment of additional allowance but to no effect. The union has therefore prayed that the management be directed to pay the allowance for operating Automax Machine as well to the workman at the rate of Rs. 126 per month w.e.f. January, 1987, and at the rate of Rs. 145/- per month w.e.f. 1-11-87.

3. The management admit that the workman was appointed in the service of the bank as Telex Operator-cum-clerk at Bank's Zonal Office Lucknow on 8-4-85. As Telex Operator cum clerk, he was paid in the beginning special allowance at the rate of Rs. 126/- per month which allowance was raised to Rs. 145/- per month as per provisions of 5th Bipartite settlement. In July, 1985, the bank installed an Automax Machine and with its installation the work of the workman got considerably reduced. Further prior to January, 1987, Lucknow Zone had 9 Regions but with the creation of Agra Zone, the number of Region in the Lucknow Zone, reduced to 5 Regional. Hence, there does not arise the question of over burdening of the workman. The question of keeping additional hand is not at all required. Even at bank's other centres no separate clerk is posted to manage the Automax Machine. The claim put up by the workman/union is based on misinterpretation of the circular dt. 17-2-87. The Indian Banks Association has directed payments of Rs. 126/- per month to Automax System Operators Operating Terminal Units. The workman was already getting a special allowance of Rs. 126/- per month, now Rs. 145/- per month as telex

operator. The said circular prescribed payment of special allowance at the rate of Rs. 216/- per month to those who operate the Central Unit of the Automax System. This circular shows that the Central Unit of Automax System is at Bombay. Hence, the question of payment of special allowance at the rate of Rs. 216/- per month to the workman for operating the Terminal Unit does not arise at all. The special allowance is being paid to the workman in accordance with the provisions of para 5.5 of the first Bipartite Settlement which lays down that in supersession of para 5.2.87 of the Desai Award where a workman falls within one category he shall be entitled to receive special allowance at the highest rate applicable to him. The very demand of the union/workman to post a separate clerk to operate Automax Machine is wholly baseless and unwarranted. The parent body of the union being one of the signatories of the bipartite Settlement, is bound by its various terms and conditions as such the union is esopped from raising the present dispute.

4. In its rejoinder, the union alleges that the designation of the workman is Telex Operator-cum-clerk. The bank is extracting duties of automax operator illegally from the workman. The bank is in fact guilty of unfair labour practice. No other new fact is alleged by the Union in the rejoinder.

5. In support of its case, the union has filed the affidavit of the workman and some documents. On the other hand in support of their case the management have filed the affidavit of Shri R. P. Bhutani, Regional Manager. In his cross examination, the workman has admitted that Automax Machine is the quicker system of sending message. He operates both the Telex Machine and Automax Machine during his normal working hours which are from 10.15 a.m. to 5.15 p.m. In para 8 of his affidavit, the management witness has deposed that Lucknow Zone had 9 Regions under its control prior to January, 1987 when new zone at Agra was created. After the creation of Agra Zone, the number of regions in the Lucknow Zone has reduced to 5 regions. There has been no cross examination of the management witness on the fact so deposed to by the management witness in para 8 of his affidavit evidence. Therefore, it has been rightly deposed/pleaded by the management that the work load has reduced.

4. Annexure I to the claim statement of the union is the copy of circular dt. 17-2-87 on the subject of payments of special allowance to clerks operating Automax System. The bank prescribed, special allowance of Rs. 126/- per month to Automax System Operators operating at terminal units and an allowance of Rs. 126/- per month to the Automax System Operators, Central Unit installed at Bombay.

5. There is no dispute about the fact that the special allowance of a Telex Operator was previously Rs. 126/- per month and since 1-11-87, it has been raised to Rs. 145/- per month.

7. Para 5.5 of the First Bipartite Settlement lays down that in supersession of para 5.2.87 of the Desai Award, where a workman falls within more than one category, he shall be entitled to receive the special allowance at the highest rate applicable to him. It means that in no case the workman can be paid two allowance, one for operating the Telex Machine and the other for operating the Automax Machine. He could be paid only the higher allowance of the two. But as we have seen above, the two categories carry equal allowance, the workman is already getting one allowance as such the question of awarding the second allowance in addition of the one which he is already getting does not arise. If the union feels that the operation of Automax Machine requires higher skill, it should get fixed allowance at higher rate by means of another bipartite settlement and in its absence no relief can be granted to the workman.

8. Hence, the action of the management of the Central Bank of India cannot be held as unjustified.

9. The reference is answered against the Union/workman.

ARJAN DEV, Presiding Officer
[No. L-12012/894/88-D.II(A)]

नई दिल्ली, 25 फरवरी, 1991

का. शा. 843--औद्योगिक विवाद अधिकार 1947
(1947 का 14) को धारा 17 के अनुसरण में, केन्द्रिय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबंध निष्पादिका और उनके कर्मचारियों के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधिकरण, कानपुर के पंचद को प्रकाशित करती है, जो केन्द्रिय सरकार का 22-2-91 को प्राप्त हुआ था।

New Delhi, the 25th February, 1991

S.O. 843.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Punjab National Bank and their workmen, which was received by the Central Government on 22-2-91.

ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 186 of 1988

In the matter of dispute between :

State Vice President, U.P. Bank Employees Union
1/581, Housing Society Colony, Surendra Nagar,
Aligarh Pin 202001.

AND

The Regional Manager, Punjab National Bank, E. K.
Road, Meerut.

AWARD

1. The Central Government, Ministry of Labour, vide its notification no. L-12012/362/88-D2(A) dated 20-12-88, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Punjab National Bank in stopping the two annual increment of Shri Rakesh Asthana is justified? If not, to what relief is the workman entitled?

2. The Industrial Dispute on behalf of the workman Shri Rakesh Asthana has been raised by U.P. Bank Employees Union (hereinafter referred to as Union for the sake of brevity). The admitted facts are that the workman was served with a Charge-sheet dt. 5-6-85, copy Ext. M-7, which reads as under :—

On 29th April, 1985, one note for Rs. 5 was found short in a packet of Rs. 5 denomination counted by you on 10-1-85, by the Inspector, Currency Chest CB Department H.O. New Delhi. The shortage was made good by you on the same day. On your request Shri N. K. Sharma, Inspector, met you in the counting room adjacent to Currency Chest Vault after 5.00 p.m. where you requested him not to report the shortage to higher authorities which he did not accede to. On this you became furious and also behaved indecently with Shri N. K. Sharma Inspector. You also threatened him for dire consequences.

Your above act of indecent-disorderly behaviour constitute gross misconduct in terms of para 15.5(c) of Bipartite Settlement read with Personnel Division Circular No. 805 dt. 5-11-84.

Kumari Rashmi Khurana, was appointed as Enquiry Officer, by the Regional Manager Meerut vide his letter dt. 19-7-85 copy Ext. M-5, addressed to the workman. The copy of the said letter was also endorsed to Kumari Rashmi Khurana P.O. at the inquiry both sides led evidence. Ext. M-9, is the copy of Enquiry Proceedings. The E.O. gave her report on 10-2-86, copy Ext. M-8. She held the charge as proved. The findings given by the E.O. was accepted by the Regional Manager, who happened to be the Disciplinary Authority. After accepting the findings he issued a notice Ext. M-4 to

the workman on 22-2-86 to show cause why the punishment of stoppage of 3 annual graded increment with cumulative effect be awarded to him. After giving the workman a personal hearing the disciplinary authority passed the order of punishment dt. 7-3-86. He modified the proposed punishment and awarded the punishment of stoppage of two annual graded increment with cumulative effect Ext. M-3 is the copy of order of punishment awarded by the disciplinary authority. Appeal filed against the said order of punishment by the workman was dismissed by the General Manager, Administration, the appellate authority by means of his order dt. 2-9-86 copy Ext. M-2.

3. The Union's case is that the workman was the Vice-President of Meerut Unit of Punjab National Bank Staff Association and was Treasurer of Meerut Union of U.P. Bank Employees Union. Being an active office bearer, the workman has been representing the grievances of the workmen before the management of the bank and has been opposing the unfair labour practices in which the management indulged. As a result of which the management was prejudiced against him and was looking for an opportunity to victimize him. The Union has assailed the order of punishment on a number of grounds. According to it the chargesheet was vague. In the charge sheet no evidence and the names of the witnesses were disclosed by the management. Further prior to the service of chargesheet no preliminary inquiry was held by the management. The Union lastly alleges that the findings given by the E.O. is perverse as it is not based on evidence.

4. In defence the management deny that the workman was an active office bearer of the Union and that he had been representing in alleged grievance of the workmen to the management. The management never adopted any unfair labour practice against any workman. The management also deny that the management was in no way prejudiced against the workman and was looking for an opportunity to victimise him. According to the management it was not necessary to conduct any preliminary inquiry (investigation) before the service of chargesheet on the workman. The chargesheet was specific, it was not vague. The management further plead that the inquiry was conducted fairly and properly in accordance with the principles of natural justice and full opportunity was given to the workman to present his case. The management deny that the findings given by the E.O. was perverse, that it was not based on evidence. Towards the end the management have prayed that in case, the Tribunal holds that the inquiry conducted is for any reason vitiated, the management be permitted to lead evidence to establish the charge sheet against the workman.

5. The Union has filed rejoinder. In the rejoinder the Union has reiterated the facts alleged by it in the claim statement. The additional fact that has been alleged by the Union is that the complaint of Shri N. K. Sharma was a non official complaint.

6. On 24-10-89, the preliminary issue was framed in this case which reads as under—

Whether the departmental inquiry was not held fairly and properly?

I may state here that it was understood by the parties that while giving finding on this issue the Tribunal will also consider, the point whether or not the findings given by the E.O. was perverse.

7. In support of their respective cases both sides have led oral as well as documentary evidence. Whereas the Union has examined the workman, the management have examined Shri A. K. Jha, Assistant Manager (Personnel).

8. The first question to be considered is whether the chargesheet, copy Ext. M-7, is vague. I have gone through it and find that even a lay man could not say that it is vague. I therefore find no force in this plea of the Union.

9. The second point that has been raised by the Union is that prior to the service of chargesheet the management should have held a preliminary enquiry into the complaint of Shri N. K. Sharma Inspector Currency Chest. To my mind it is not necessary that every case a preliminary inquiry should be held. What has to be seen is as to who

is the author of the complaint. If the complaint is by an officer but unless the circumstances otherwise warrant, there need not be any preliminary inquiry. So in the second point also I find no substance.

10. Thirdly it has been contended by the Union that it was a non official complaint. I fail to understand how a complaint by a Currency Chest Officer would be a non-official complaint. So in this complaint also I find no force.

11. Fourthly, we have to see whether the inquiry was conducted fairly and properly or not. The only point that has been raised by the Union that the chargesheet was not accompanied by any list of witnesses nor any documentary evidence. It is no doubt true that it was not so accompanied. But from the proceedings of the inquiry dt. 21-12-85, it is evident that on that date the management representative disclosed, the names of the witnesses to be examined by him and produced evidence on which the management relied. This fact has been admitted by the workman even in his cross examination. Thereafter the inquiry was adjourned and it was again taken on 21-1-86 when the management representative examined two witnesses. Thus much in advance the workman and his defence representatives were informed about the evidence to be relied upon by the management in support of the charge. In the circumstances, it cannot be held that any prejudice was caused on account of non supply of the names of the witnesses and documents with the charge sheet. I may state here also that in his cross examination, the workman has admitted that copies of documents relied upon by the management in the inquiry were furnished to him. However, he has said that he was not furnished with the copy document Ext. M-2, produced at the inquiry. In this statement of the workman I find no force. He has admitted that he never raised any objection in writing in this regard before the Enquiry Officer.

12. In his cross examination, the workman has admitted that the management representative examined witnesses in defence and they were duly cross examined from his side. He has also admitted that he was given full opportunity of producing his defence. Then he has admitted that against the show cause notice he was given personal hearing by the disciplinary authority.

13. Thus from the above evidence I hold that the inquiry was conducted fairly and properly in accordance with the principles of Natural Justice by the Enquiry Officer.

14. Lastly, I come to the question whether the finding given by the E.O. and accepted by the disciplinary authority is perverse or not. I have gone through the evidence led by both sides before the E.O. and have also gone through the findings given by the E.O. and find that the E.O. had taken a very rational and reasonable view of the evidence on record. The findings given by the E.O. under no circumstances can be held as perverse.

15. Ext. M-6 is the copy of reply dt. 10-6-85 of the chargesheet given by the workman. He denied the charge. However he admits the fact that shortage in money was made good. He also stated in his reply that his earlier letter dt. 13-5-85 should be considered as forming part of reply to the chargesheet. Para 3 of his reply is important and is reproduced here. It reads as under :—

That the charges of shouting and manhandling by putting off Chhapols in view of my reply, were with drawn, being found satisfactory explanation from my side.

16. Ext. W-13 is the copy of letter dt. 13-5-85 of the workman giving reply to the memo issued to him by the management with regard to the complaint of Currency Chest Officer Shri N. K. Sharma. In his said letter he made a request for furnishing the copy of the complaint. But at the same time he denied the incident without giving any counter version to it. However in his evidence, before the E.O. he stated that Shri N. K. Sharma Currency Chest Officer carried some misunderstanding simply because of one promisory note of Rs. 5 having been found short in one

of his packet which was made good by him instantaneously. He was not allowed any opportunity of verifying all other packets. He also stated that when he made a request to Shri Sharma for such an opportunity Shri Sharma became rash and it seemed that during his off moods he (the workman might have scratched his heel on eaching) which Shri Sharma badly misunderstood and went in lodging the complaint. Thus all this lend support to the version of the incident given by Shri Sharma during his evidence before the E.O. We too also not lose sight of the fact that according to the Union he was the Vice President of Meerut Unit of Punjab National Bank Staff Association and Treasurer of Meerut Unit of U.P. Bank Employees Union in 1985. The E.O. has rightly drawn the conclusion—"It is clear that hot talks took place between the CSE and Shri N. K. Sharma and CSE became furious with Shri Sharma. He even tried to took out his a sandle that he was got to be controlled by other staff members. Thus the CSE did not behave decently with the Inspector.....".

17. On the point of quantum of punishment the Tribunal cannot interfere. Interference in appropriate cases under Sec. 11-A I.D. Act is called for only in cases of discharge dismissal and removal from service.

18. Hence, the action of the management of Punjab National Bank in stopping the two annual graded increment with cumulative effect is held as justified and the workman is held entitled to no relief.

19. Reference is answered accordingly.

ARIJAN DEV, Presiding Officer
[No. L-12012/362/88-D.II(A)]

नई दिल्ली, 8 मार्च, 1991

का. अा. 844—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के सदस्य निदेशकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधीकरण कानपुर के पक्ष पर को प्रकाशित करती है, जो केन्द्रीय सरकार की 28-2-1991 की प्राप्ति हुआ था।

New Delhi, the 8th March, 1991

S.O. 844.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Punjab National Bank and their workmen, which was received by the Central Government on 28-2-1991.

ANNEXURE

BEFORE SHRI ARIJAN DEV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 33 of 1989

In the matter of dispute between :

The Secretary Punjab National Bank Staff Association
C/o Punjab National Bank Kesarganj Delhi,

AND

The Regional Manager Punjab National Bank E. K.
Road Meerut.

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-12012/507/88-D.II (A) dated 25-1-89 has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Punjab National Bank in awarding punishment of stoppage of one annual graded increment with cumulative effect vide their letter dated 12-10-85 to Shri A. K. Gupta, is justified? If not, to what relief is the workman entitled?

2. The industrial dispute on behalf of the workman has been raised by Punjab National Bank Staff Association (hereinafter referred to as Union for the sake of brevity). The admitted facts are that the workman Shri A. K. Gupta, was served with chargesheet dated 6-10-83, copy Ex. M-7, which reads as under :—

1. You have been instigating the staff members to wilfully slowing down the work and not to cast and tally the balances during office work.
2. You have been very frequently coming late and have not been attending the office punctually at the prescribed timings.
3. You instigated all the staff members to abstain from duty, strike bank work and disrupt customers service. Consequently all the workmen staff abstained from duty and absented themselves from Office on 5-10-83. Consequently the entire bank work was disrupted and customers' service adversely affected.

Your above actions tantamounts to wilful disobedience of lawful/reasonable orders and instructions of the management, wilful slowing down in performance of work unpunctuality, all of which were prejudicial to the interest of the bank. Your wilful instigation of staff members to have abstained from duty on 5-10-83 tantamounts to gross misconduct.

The Regional Manager, Meerut appointed Km. Rashmi Khurana an officer of the bank, as Enquiry Officer as will be evident from the letter dated 3-2-84, copy Ext. M-6, from the Regional Manager Meerut to the workman with copy endorsed to Km. Rashmi Khurana, E.O. conducted the inquiry and during the inquiry proceedings both sides led evidence. On 13-9-85, the E.O. gave her report, copy Ext. M-5. She held charge Nos. 1 and 2 as not proved. However, she found charge No. 3 as proved. The Regional Manager agreed with the findings given by the E.O. and issued a notice on 19-5-85 to the workman to show cause why the punishment of stoppage of two annual graded increments with cumulative effect be not inflicted upon him. Ext. M-4 is the copy of said show cause notice. After giving personal hearing to the workman, the Regional Manager who happened to be the Disciplinary Authority, by means of his order dated 12-10-85, copy Ext. M-3, modified the proposed punishment and reduced it to the punishment of stoppage of one annual graded increment with cumulative effect. The workman filed appeal against the said order of punishment passed by the disciplinary authority, but the same was dismissed by the General Manager, Administration, the appellate authority by means of his order dated 17-4-86 copy Ext. M-1. The case set up by the Union is that the workman is an active trade Union worker and spokesman and he has been representing the workman before the management of the bank in negotiations at District Level. He was an executive member of the Union. The Union has challenged the order of punishment as well as the order passed by the appellate authority on a number of grounds. It is alleged that the chargesheet which was served on the workman was vague. Further during the inquiry proceedings, the workman was not given a proper reasonable opportunity of defence. Another fact alleged by the Union is that the finding given by the E.O. and confirmed by the Disciplinary Authority and the Appellate Authority are not based on evidence. In fact because of his Trade Union Activities the workman was victimised. The Union has therefore prayed that the order of punishment be declared as unjust and illegal and it be set aside.

3. The defence of the management is that the workman was never a Trade Union Worker nor the management was in any way prejudiced against him. The chargesheet was not at all vague. The workman was afforded full opportunity for defence. In fact the inquiry was conducted fairly and properly. The management deny that the findings are not based on evidence. Lastly, the management plead that the punishment imposed upon the workman was commensurate with the gravity of the misconduct committed by him. In the alternative, the management plead that in case, for any reason whatsoever, the Tribunal holds the inquiry as vitiated, the management may be permitted to lead evidence to establish the charges against the workman.

4 In this case rejoinder was filed by the Union but in it nothing new has been alleged

5 On 24.10.89, the following preliminary issue was framed —

Whether the domestic inquiry was not held fairly and properly?

I may make it clear that there was an understanding between the parties that while giving findings on this issue the Tribunal will also look into the fact whether or not the findings given by the EO and accepted by the Disciplinary Authority were Perverse

6 In support of its case the Union examined the workman and in support of their case, the management examined Shri A. K. Jha Assistant Manager (P). Both sides have relied upon documentary evidence

7 The first question which arises for consideration is whether or not the inquiry was conducted fairly. In his cross examination, the workman has admitted that all the witnesses examined by the management during the inquiry were examined in his presence and that they were cross examined from his side. He also admits that he was given opportunity of producing his defence but according to him proper opportunity was not given to him as the chargesheet was vague. The question which therefore arises is whether the chargesheet is vague or not. We have seen above that there were three charges against the workman and that only charge No. 3 was held to be established against him. Now let us have a look at charge No. 3. It has been reproduced by me while giving admitted facts. On going through it even an ordinary prudent man cannot say that it is vague. Therefore I find no force in what the witness has said i.e. that he was not given proper opportunity for producing defence. A little further in his cross examination he has admitted that he did examine witnesses in defence. Soon thereafter he has admitted that he was given full opportunity of giving defence. Even from the inquiry proceedings copy Ext. M-8 it is evident that in defence he examined himself and 2 witnesses

8 In para 3 of his statement in cross examination, he has admitted that the disciplinary authority gave him a personal hearing on the matter of proposed punishment. The fact that personal hearing was given to him finds mention in the order of punishment dated 12-10-85, copy Ext. M-3, passed by the disciplinary authority. From the own admissions of the workman, it stands proved that he was given full opportunity of defence during inquiry proceedings. Accordingly I hold that the inquiry was conducted by the EO fairly and properly in accordance with the principles of Natural Justice. From the evidence adduced by the management at the inquiry it is found that on 5.10.83 no member of the clerical staff was present in the bank.

9 Now I come to the finding on charge No. 3 which was accepted by the Disciplinary Authority. I have gone through the finding on this charge as well as the evidence of the parties as contained in the inquiry proceedings, copy Ext. M-8. I see no reason to differ with the finding. The EO seems to have taken a rational and reasonable view of the evidence led by both the sides during the inquiry. The workman took shelter behind the fact that on 5.10.83 and 6.10.83 he was on leave due to illness. No doctor was examined by him to prove the fact the nature of illness and whether the illness was such as could have prevented from coming to the premises of the bank. The Union has come out with the case that the workman is an active Trade Union Worker and spokesman of the workman and has been representing the workman in negotiations with the management of the bank at District Level. Union has also said that the workman was an executive member of the Union. This constitutes strong circumstance in support of the charge. Hence the finding on charge No. 3 given by the EO and confirmed by the Disciplinary Authority cannot be said as not based on evidence. They are not perverse.

10 In the instant case the question regarding quantum of punishment cannot be looked into as section 11-A ID Act only empowers the tribunal to look into the question of quantum of punishment in cases of dismissal/discharge and removal from service.

11 Hence I hold that the action of the management of the Punjab National Bank in awarding the punishment of stoppage of one annual graded increment with cumulative effect to the workman is justified.

12 Therefore the workman Union is held entitled to no relief.

13 Reference is answered accordingly.

ARJAN DEV, Presiding Officer
[No. I 12012 507/88 D II (A)]

का आ 845 -- औद्योगिक विवाद अधिनियम 1947 (1947 का 14) का धारा 17 के अन्तर्गत में केन्द्रीय सरकार अधिनियम बैंक प्रबंधन के संबंध में निम्नलिखित को प्रो. उनके कामकाज के बीच अनुसंधान में निम्नलिखित विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम का अनु. के पक्ष में प्रस्तावित करता है जो केन्द्रीय सरकार का 26-2-91 का प्राप्त हुआ था।

SO 845—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Indian Bank and the workmen which was received by the Central Government on 28-2-1991.

ANNEXURE

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, KANPUR

Industrial Dispute No. 53/89

In the matter of dispute between --

The President Federation of Indian Bank Employees
Union Indian Bank Ambala Cantt. Pin-133001

AND

The Zonal Manager Indian Bank 1 E Jhndewalan Extension New Delhi 110055

AWARD

1 The Central Government, Ministry of Labour, vide its Notification No. L 12012/508/88 D II (A) dated 16-2-89, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Indian Bank in realising Rs. 3000 from the salary of Shri Y. K. Aroia is justified? If not, to what relief is the workman entitled?

2 In the instant case, 7-1-1991 was fixed for the cross examination of the workman but the case was adjourned to 7-2-92, on the application of the authorised representative of the workman. Again on 7-2-92, the authorised representative moved an adjournment application on the ground that information regarding the date 7-2-92 was sent to the workman by post but it seems that it might not have been received by the workman with the result that he failed to attend the Tribunal. The Authorised representative for the workman requested that the case be adjourned as last opportunity. I have considered the grounds set up in the application, and find that the workman is not interested in prosecuting the case.

3 Accordingly the claim award is given against the workman/Union for the reasons given above.

ARJAN DEV, Presiding Officer
[No. I-12012 508/88 D II (A)]

V. K. VENUGOPALAN, Desk Officer

नई दिल्ली, 26 फरवरी, 1991

का. आ. 846.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार दक्षिण रेलवे पालघाट के प्रबन्धन के संबंध निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में लेबर कोर्ट, कोझिकुड के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-91 को प्राप्त हुआ था।

New Delhi, the 26th February, 1991

S.O. 846.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award of the Labour Court Kozhikode as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Railway Palghat and their workmen, which was received by the Central Government on 25-2-1991.

ANNEXURE

IN THE LABOUR COURT, KOZHIKODE, KERALA STATE

Dated this the 31st day of January, 1991

I. D. (C) 4/90

BETWEEN

The Divisional Railway Manager, Palghat Division,
Southern Railway, Palghat, Kerala ...Management
AND

Shri C. Rajan, S/o Shinnakuttan, Chakkumukulam
Parambil, P.O. Kanayam, Via Shornur
Kerala. ...Workman

REPRESENTATIONS :

Sri K. V. Sachidanandan, Advocate, Kozhikode—for Management.

Sri P. P. Balan, Advocate, Kozhikode—for Workman.

AWARD

The dispute between one C. Rajan, Casual Piece Rate Worker, Shornur and the Divisional Railway Manager, Palghat in connection with the termination of service of the said Rajan with effect from 26-11-1987 was referred to this Court for adjudication by the Central Government under Section 10(1)(c) of the Industrial Disputes Act by the Order No. L-41012/49-88-D.H (B) dated 12.5.1989. On receipt of the reference in this Court both the workman and the management viz., the Railways entered appearance and filed statements setting forth their stand in the dispute pursuant to the notice issued from this Court.

2. The brief averments in the statement filed by the workman are as follows :—

This workman was working in the Parcel Unit of the Shornur Railway Station from 27-5-1985. He was engaged for loading and unloading the parcels arriving at that station. He is paid wages at the rate of Rs. 5 per metric ton. His wages are paid from the fund of the Railway. He worked under the control and supervision of the Railways. Thus he is a workman under the Railways as defined in the Industrial Disputes Act. But on 26-11-1987 he was discharged from service without assigning any reason whatsoever. Since this workman being a permanent employee under the Railways, this action of the Railways terminating his service is illegal and unjust. Even if the Railways wants to terminate his service that can be done only after giving this workman notice pay and compensation as provided in the Industrial Disputes Act. Hence this action of the Railways is illegal. Therefore an award may be passed setting aside this order and directing the Railways to reinstate this workman with back wages.

3. The gist of the averments in the statement filed by the Railways are as follows :— This workman is not an employee under the Railways nor as he worked continuously for more than 240 days. It is true that this workman has

worked in the parcel unit attached to the Shornur junction and he was working as a Porter for loading and unloading parcels arriving at Shornur Station. But that employment is not by virtue of any appointment made by the Railways nor on the strength of any agreement between him and the Railways since he worked as such only as a casual labourer. The reason being sometimes there will be a huge increase in incoming parcels in the Shornur Station which cannot be unloaded by the Licence Porters appointed by the Railways for this purpose and on such occasions the Railways used to avail the service of outsiders as casual on the agreement that they will be paid wages at the rate of Rs. 5 per ton. This workman has worked in this parcel unit only in that way as a casual labourer. Thus there is no employer-employee relationship between him and the Railways. The Railway has no control over him nor is he bound to attend for work when called for. It is for him to come and handle the parcels when called by the Railways. This being the position the workman is not an employee under the Railways. Hence the Railway has every right to dispense with the service at any time. Hence an award may be passed upholding this action of the Railways.

4. On these pleadings the following points are formulated for decision :—

- (1) Whether the workman involved in this reference is an employee under the Railways ?
- (2) Whether the termination of service of the workman is valid in law ?
- (3) To what relief if any the workman is entitled ?
- (4) Result ?

5. No evidence either oral or documentary has been adduced.

6. Point No. 1.—The issue referred for adjudication is the legality or otherwise of the termination of service of a workman by the Railways on 26-11-1987. The case of the workman is that from 27-5-1985 onwards he was working as a Parcel Porter in the parcel unit of the Shornur Railway Station and while so on 26-11-1987 his service was terminated by the Railways without assigning any reason whatsoever. Now it is this action of the Railways that is called in question by the workman. According to him he has worked continuously for 2½ years from 27-5-1985 and he was paid wages at the rate of Rs. 5 per metric ton viz., on piece rate basis and that this wage is paid from the Railway funds and that he worked as a Porter under the control and supervision of the Railways. Thus according to him he is a permanent employee under the Railways and hence the action of the Railways dispensing with his service on 26-11-1987 is illegal and unjust. Now the case of the Railways is that he is not a permanent employee under the Railways and that he worked as a Porter only as a casual labourer. According to the Railways the loading and unloading of parcels in the parcel unit of the Shornur Junction are done by the Railways Licence Porters and on certain occasions there will be a huge increase in incoming parcels which cannot be handled by the Licence Porters and on such occasions only the Railway has availed of the service of outsiders like the workman and that the workman worked in that parcel unit only as a casual labourer.

7. Any way the short question is whether the workman is under the employment of the Railways. As stated earlier it is the admitted case that the workman has worked in the parcel unit for wages at the rate of Rs. 5 per metric ton. But simply because a person has worked under another that will not by itself make him an employee and a person becomes an employee under another only if the employer has control and supervision over the employee. Here it is more or less the admitted case that the Railways has absolutely no control over this workman even when he is working and that the workman is not supposed to attend for work everyday. Or in other words whenever there is increase in incoming parcels the Railway will avail the service of outsiders and any outsider can come and load and unload the parcels and they will be paid on piece rate basis at the rate of Rs. 5 per metric ton. Or to be more precise the Railway cannot even insist for the presence on every day or any particular day. So also they are not supposed to work till a particular time and that they can go at any time. The only condition is that if they handle one ton load of parcel

they will be paid Rs. 5. This is in short the terms of the arrangements between the Railways and the so called outsiders who are called to work in the parcel unit. Thus it can be seen that even though the workman has worked in the parcel unit, the Railway has absolutely no control over him while he was thus working. As pointed out earlier he can be treated as an employee under the Railways only if the Railway has control and supervision over him. As the Railway has no control or supervision over him even during the course of his employment it cannot be held at all that he is under the employment of the Railways. In this connection it is pertinent to refer to a decision of the Central Administrative Tribunal, Madras in I.A. 77/87 and I.A. 181/87. In these two cases the Central Administrative Tribunal was also concerned with a similar question viz., whether persons working on daily wages as parcel porters in the parcel unit, Palghat IN., are employees of the Railways. There it was held by the CAT that they are not workman under the Railways as the Railway has no control or supervision over them. But however the counsel for the workman referred to a decision of the Kerala High Court in O.P. 4300/79 wherein the High Court was concerned with a question of termination of service of certain workers engaged in coal loading. According to the counsel for the workman the dictum laid down in this decision aptly applies to the fact of this case since in that case even though those workers engaged in coal loading were not actually appointed by the Railways, the High Court has directed the Railways to give these employees permanent employment. But on going through this decision I find that the dictum laid down in that case has no application since in that case the workers involved were not actually casual labourers like the workman here but on the other hand they were employed in the coal loading section throughout. Secondly in that case the High Court has not directed the Railways to take them back in service as pointed out by the casual for the workman and what the High Court has directed is only to consider their case for permanency rather sympathetically. Or to put it in other words, in this decision the High Court did not go into the question whether they are really workman under the Railways. Hence in my opinion the dictum laid down in this decision has no application to the facts of this case.

8. Thus in short as the workman involved in this reference is found to be only a casual labourer who worked in the parcel unit according to his discretion without any sort of control or supervision by the Railways it has to be held that he is not an employee under the Railways. This point is thus decided against the workman.

9. Point No. 2 and 3.—In view of my finding on Point No. 1 that the workman is not an employee under the Railways the action of the Railways dispensing with his service is neither unjust nor invalid and as such the workman is not entitled to any relief.

10. Point No. 4.—In the result an award is passed upholding the action of the Railways and holding that the workman is not entitled to any relief against the Railways.

11. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 31st day of January, 1991.

K. G. GOPALAKRISHNAN, Presiding Officer
[No. L 41012/49/88-D-II (B)(Pt.)]

HARI SINGH, Desk Officer,

APPENDIX

Witnesses examined on either side :—

NIL

Documents marked on either side :—

NIL

नई दिल्ली, 28 फरवरी, 1991

का.अ. 847.—औद्योगिक विवाद अधिनियम, 1947
(1917 का 14) की धारा 17 के अन्तर्गत मे केन्द्रीय सरकार भामोरी
कोलियरी अफि डबल्यू. सी. लि. डा. परेमिया जि डिग्वाडा (म.प्र.)
675 GI/91—18.

के प्रत्यक्ष के सदस्य नियोजन और उनके कर्मचारी के बीच, अन्तर्गत
मे निश्चित औद्योगिक विवाद मे केन्द्रीय सरकार औद्योगिक अधिनियम,
ब्रह्मपुर के अन्तर्गत के प्रकाशित किया है, जो केन्द्रीय सरकार का
27-2-91 के प्राप्ति हुआ था।

New Delhi, the 28th February, 1991

S.O. 847.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the annexure, in the industrial dispute between the employers in relation to the management of Bhamori Colliery of W. C. Ltd., P.O. Parasia District Chhindwara (M.P.) and their workmen, which was received by the Central Government on the 27-2-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM LABOUR COURT, JABALPUR (M.P.)
CASE NO. CGIT/LC (R) (230)/1987.

PARTIES :

Employers in relation to the management of Bhamori Colliery of W. C. Ltd., P. O. Parasia, District Chhindwara (M.P.) and their workman, Shri Mohd. Safi, represented through the General Secretary Bhartiya Koyala Khadan Mazdoor Sangh (BMS), Main Road, Chandrapur, District Chhindwara, (M.P.).

APPEARANCES :

For Workman—Shri S. S. Shankarwar, Advocate,

For Management—Shri Rajendra Menon, Advocate.

INDUSTRY : Coal Mine DISTRICT : Chhindwara (M.P.)

AWARD

Dated : February 14, 1991.

The Central Government, Ministry of Labour, vide its Notification No. L-21012/56/87-D, III (B), dated 29-10-1987, referred the following dispute to this Tribunal, for adjudication :—

"Whether the action of the Mine Manager, Bhamori Colliery of W.C. Ltd., in denying clerical grade-I to Shri Mohd. Safi for his working as Lamp Room Incharge is fair and justified? If not, to what relief the workman is entitled?"

2. Parties have filed their respective statement of claims. No rejoinder has been filed by either party. On 19-4-1990 A Memorandum of settlement was filed by the Counsel for Management. Thereafter the case was fixed for verification of settlement. On 29-6-1990 and 4-9-1990 none appeared on behalf of the workman, to verify the settlement. There fore 23-1-91 was fixed for the purpose. On this date also nobody appeared on behalf of the workman Management verified the settlement. The terms of settlement are as under :—

1. It is agreed by the management to regularize Shri Mohd. Safi as L. R. Incharge in Tech. Grade 'C' of NCWA—III with immediate effect.
2. The Union agrees to give up all other claim/benefits and accept the above terms as full and final settlement and shall not claim any other benefit in respect of the matter in dispute.
3. This settlement shall not be treated as a precedence in any other case.
4. The parties agree to file the compromise settlement before the Presiding Officer, CGIT, Jabalpur and request for an Award in Terms of the Settlement.

The settlement is duly signed by S/Shri S. P. Singh, A. B. Chatterjee and the workman concerned, Mohd. Safi. On behalf of the management S/Shri S. B. Katiyar and C. L. Jaiswal has signed the settlement. The settlement is dated 25-11-1988.

3. I have gone through the above terms of settlement which appear to be just, fair and in the interest of the workman concerned. It appears that the settlement has been implemented that is why the workman has no interest in verifying the settlement. However, I record my award in terms of the settlement and make no order as to costs.

V. N. SHUKLA, Presiding Officer
[No. L-21012/35/87-D. III (B)/D. IV (B)]

का. आ. १४३.—औद्योगिक विवाद अधिनियम, १९४७ (१९४७ का १४) की धारा १७ के अनुसूचन में केन्द्रीय सरकार घोरारवरी व शिवपुरी, डा. धीरगढी खर्द जिले छिन्दवाड़ा (म. प्र.) के प्रबंधन के संबंध निरोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पत्राट को प्रकाशित करती है, जो केन्द्रीय सरकार को २७-२-९१ को प्राप्त हुआ था।

S.O. 848.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ghorawari Colliery, P. O. Ghorawari Khurd, District Chhindwara (M.P.) and their workmen, which was received by the Central Government on the 27-2-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR, (M.P.)

CASE NO. CCH/LC (R) (119)/1989.

PARTIES :

Employers in relation to the management of (Ghorawari Colliery, P. O. Ghorawari Khurd, District Chhindwara (M.P.) and their workman, Shri Budhoo S/o. Shri Chhotey, Tub-Loader, represented through the M. P. Koyala Khadan Mazdoor Panchayat (BMS), P. O. Innardeo, District Chhindwara (M.P.).

APPEARANCES :

For Management—Shri P. G. Jagirdar.

For Workman—Shri G. N. Shah.

INDUSTRY : Coal Mine DISTRICT : Chhindwara (M.P.).

AWARD

Dated, February 14, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/(218)/88-IR (C. II), dated 7-6-1989, for adjudication of the following disputes :—

"Whether the action of the Management of Ghorawari Colliery in stopping from duty Shri Budhoo son of Chhotey, Tub-Loader w.e.f. 13-11-1983 is justified? If not, to what relief the workman concerned is entitled?"

2. Both the parties have filed their respective written statement and rejoinder. The case was fixed for evidence of parties. On 23-1-1991 instead of adducing evidence parties filed a Memorandum of Settlement and verified the same before this Court. The terms of settlement incorporated in the Memorandum of Settlement are as under :—

TERMS AND CONDITIONS

1. It is agreed by both the parties that Shri Budhoo S/o. Chotelal Ex-Casual Tub-Loader, Ghorawari Colliery will be reinstated as Casual Tub-Loader and posted in Nandan Group of Kanhan Area.

2. He will not be entitled for any back wages from the date of his termination to join at Nandan Colliery.

3. It is agreed by both the parties that union as well as workman will not raise any dispute before any authority.

4. It is mutually agreed that this settlement will be filed before the CCHT for giving consent award.

5. It is agreed by both the parties that this settlement will not be treated as a precedence in any other cases.

6. This is a full and final settlement for reinstatement of Shri Budhoo, Ex-Casual Tub-Loader, Ghorawari Colliery.

The Memorandum of Settlement is dated 11-12-1990 and is signed by Shri Deepak Mewar and Shri P. G. Jagirdar on behalf of the management and Shri G. N. Shah and Shri Budhoo S/o Chotelal on behalf of the Union.

3. I have gone through the above terms of settlement which appear to be just, fair and in the interest of the workman concerned. I therefore record my award in terms of the settlement arrived at between the parties and pass no order as to costs.

V. N. SHUKLA, Presiding Officer.
[No. 22012/218/88-IR (C-II)]

का. आ. ८४९.—औद्योगिक विवाद अधिनियम, १९४७ (१९४७ का १४) की धारा १७ के अनुसूचन में, केन्द्रीय सरकार शिवपुरी ओपनकास्ट माईन घाफ डब्ल्यू. सी. एन. पंच परिया, पो. ओ. परनिया जिले छिन्दवाड़ा के प्रबंधन के संबंध निरोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पत्राट को प्रकाशित करती है, जो केन्द्रीय सरकार को २७-२-९१ को प्राप्त हुआ था।

S.O. 849.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Shivpuri Opencast Mine of WCL, Panch Area P.O. Parasasia, Distt. Chhindwara and their workmen which was received by the Central Government on the 2-2-91.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CCH/LC(R)(200)/1987

PARTIES :

Employers in relation to the management of Shivpuri Opencast Mine of Western Coalfields Limited, P.O. Sirgora via Parasasia, District Chhindwara (M.P.) and their workman Rambrich S/o Bhikoo, Chowkidar, represented through the Bhartiya Koyalakhadan Mazdoor Sangh, P.O. Chandametta, District Chhindwara (M.P.).

APPEARANCES :

For Management : Shri A. K. Shashi, Advocate.

For Workman : Shri R. S. Rathore.

INDUSTRY : Coal Mine DISTRICT : Chhindwara (M.P.)

AWARD

Dated : February 15, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/33/86 D.III(A)/IIB Dated 1st October, 1987, for adjudication of the following dispute :—

"Whether the action of the management of Shivpuri Opencast Mine of WCL Panch Area, P.O. Parasasia, District Chhindwara in not giving wage protection to Shri Rambrich S/o Bhikoo, Chowkidar w.e.f. 1-5-1980 is justified? If not, to what relief the concerned workman is entitled to?"

2. In this case after the receipt of the reference order on 6-10-1987, parties were directed to file the statement of claim complete with relevant documents, list of reliance and witnesses on 20-11-1987. Management filed its written statement, but the workman did not do so. On 9-12-1987 parties stated that the matter is being settled, therefore another date was fixed for filing the settlement. Parties took several dates from 12-1-1988 to 23-1-91 on which date a settlement to the effect that no dispute award be passed has been filed. Paras 4 & 5 of the settlement dated 23-1-1991 read as under :—

"4. On the basis of the report of the finger print expert both the parties have satisfied and the Union does not want to press the reference pending before this Hon'ble Court.

5. Both the parties therefore request that 'the dispute pending before this Hon'ble Court may be closed as not pressed."

3. Since the parties have no interest in prosecuting their respective case in view of the settlement reached between them, I have no option but to pass a No Dispute Award. Award is made accordingly. No order as to costs.

V. N. SHUKLA, Presiding Officer

[No. L-21072/53/86-D.III(A)/D.III(B)]

का. धा. 850.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. कोरबा, जिला. बिलासपुर (म. प्र.) के प्रबन्धन के संबद्ध नियोक्ताओं और उनके कर्मचारियों के बीच अनुश्रवण में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-91 को प्राप्त हुआ था।

S.O. 850.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SECL Korba, District, Bilaspur (M.P.) and their workmen, which was received by the Central Government on 27-2-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(103)/1988

PARTIES :

Employers in relation to the management of SECL, Korba, District Bilaspur (M.P.) and their workman Shri Goverdhan, Cook Cat. III, represented through the Secretary, CKKMU, Bankimongia, District Bilaspur (M.P.).

APPEARANCES :

For Workman : Shri Rambilash Shobhnath.

For Management : Shri Rajendra Menon, Advocate.

INDUSTRY : Coal Mine DISTRICT : Bilaspur (M.P.)

AWARD

Dated, February 15, 1991

This is reference made by the Central Government in the Ministry of Labour, for adjudication of the following dispute, vide reference Notification No. L-21012/26/86-D. III (B) dated 20-9-1988 :—

"Whether the demand of Chhatisgarh Khadan Karkhana Mazdoor Union, Bankimongia for promotion of Shri Goverdhan, Cook Cat. III, SECL, Banki Colliery to Cook Cat. V is justified. If so, to what relief is the said workman entitled ?"

2. Both the parties have filed their respective statement of claim and rejoinder. On 30-5-1990 parties stated that the matter is being settled and prayed for time to file the settlement. Time was granted. Parties took several dates to file

the settlement. Ultimately on 13-2-91 parties have filed a Memorandum of Settlement dated 9-2-91 and verified the same before this Court. The terms of settlement are as under :—

- (1) यह कि प्रबन्धन श्री गोबरधन घासमज फिट्टू रसोइया श्रेणी-3 को दिनांक 1-1-1987 से श्रेणी-4 रसोइया के पद पर पदोन्नति देकर इसी दिनांक से वेतन तिर्धारण का प्रभाव एवं अन्य अनुपातिक प्रलाभों को देगा। जिसके लिए प्रबन्धनव से कार्यालय आदेश नमंक 6658 दिनांक 7-12-90 जारी कर दिए हैं (प्रतिलिपि संलग्न) है।
- (2) श्री गोबरधन बांकी सुराकछार विश्राम गृह में रसोइया तथा अन्य कार्य जैसे करते आ रहे हैं करते रहेंगे। तथा वे कोई अन्य दावा इसके सम्बन्ध में नहीं कर सकेंगे।
- (3) युनियन या गोबरधन न्यायाधिकरण के समक्ष विचाराधीन ललित प्रकरण वापस लेंगे।

Along with the Memorandum of Settlement an Office Order (Photo copy) dated 7-12-1990 is enclosed which reads as under :—

"Subsequent to the settlement with the Chhatisgarh Khadan Karkhana Mazdoor Union (CKKMU) Banki, Shri Goverdhan S/o Fittoo, Cook, Cat. III of Banki Colliery is hereby upgraded to the post of Cook, Cat. IV with effect from 1-1-1987. Shri Goverdhan will be entitled for the fixation benefit and other benefits from 1-1-1987. Shri Goverdhan will continue to do the present job and other jobs assigned to him apart from the job of care taking the affairs and administration of the Banki-Surachhar Guest House, Korba (P.), as presently done by him. He will have no right to claim any further benefit out of this order. The union and workman will withdraw the case under reference to the CGIT Jabalpur."

3. I have perused the terms of settlement and the above order. The settlement has already been implemented. Therefore, I record my award in terms of settlement being just and fair. No order as to costs.

V. N. SHUKLA, Presiding Officer

[No. L-21072/26/88-D.III (B)/D.IV (B)]

का. धा. 851.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय खाद्य निगम नागपुर के प्रबन्धन के संबद्ध नियोक्ताओं और उनके कर्मचारियों के बीच अनुश्रवण में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-91 को प्राप्त हुआ था।

S.O. 851.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on 27-2-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(95)/1985

PARTIES :

Employers in relation to the management of Food Corporation of India, Nagpur (MS) and their workmen represented through the Secretary, FCI Employees Association, C/o FCI Ajni Nagpur-440015 (MS)

APPEARANCES :

For Workmen—Shri N. K. Shukla.

For Management—Shri A. V. Savgi.

INDUSTRY : Food Corporation DISTRICT : Nagpur (M.S.)

AWARD

Dated, the 11th February, 1991

In exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government in the Ministry of Labour referred the following dispute to this Tribunal, for adjudication, vide Notification No. L-42011(20)/84-D.V dated 1-11-1985 and corrigendum dated 21-5-1987 :—

“Whether the action of the management of Food Corporation of India, Nagpur in not implementing their own circular No. Estt/32/9/80 dated 2-4-1980/Head Office Circular No. 1-19/77-EP dated 18-3-1980 in giving selection grade to category III and IV employee with effect from 1-1-83 is justified ? If not, to what relief the workmen are entitled ?”

2. Undisputed facts of the case are that the Food Corporation of India with due approval of the Central Government introduced the Scheme of Selection Grade in Class III and IV as per letter No. GA-19/77/EP dated 18-3-1980. According to the above referred Circular the employees who had rendered 10, 11 and 14 years of service in the scales mentioned are entitled to be brought in Selection Grade:—

Sl. No.	Existing Scale Rs.	Selection Grade Rs.
1.	210-4-250-290	270-6-306
2.	225-5-260-6-308	290-6-332-8-340
3.	260-6-326-8-350	326-8-350-10-390
4.	290-6-326-8-390-10-400	371-10-394-12-442-15-472.

It is also not disputed that the Circular referred to above is self explanatory so far as the qualification for selection grade, criteria etc. is concerned.

3. Union's case in brief is that in view of the aforesaid Circular it was incumbent on the part of the management of F.C.I. to place the employees in Selection Grade on the basis of sanctioned strength. The management, however, failed to give effect in spirit. Not only that but discriminatory treatment was offered in giving the benefits to the employees who are in fact entitled to the Selection Grade. The benefits has been given to few persons who were aware of the above Circular and majority of the employees who are otherwise eligible were deprived of the benefits.

4. It has further averred that complete categories of Watchman, Drivers, Sweepers/Sifters have been left out from the purview of the Circular referred to above. Persons who are eligible and had been left out are accordingly entitled to the Selection Grade as contemplated by the aforesaid Circular.

5. It was further alleged that the object of the Circular dated 18-3-1980 has been defeated because the management has not prepared list of employees on the basis of their date of appointment till the date of the claim. List of sanctioned posts has not been circulated and therefore many of the employees have been deprived of the benefits arising out of the aforesaid Circular. The aforesaid action on the part of the management is unfair and amounts to illegal change. Favour having been given to certain employees is also unfair.

6. As per instructions of the Government and policy of the management the staff position was required to be reviewed on 1-1-1980, 1-1-1983 and 1-1-1986 but till today the staff position has not been reviewed. The action of the management is therefore unjustified. Workers who ever entitled to the benefits by virtue of Circular dated 18-3-1980 are therefore entitled to be placed in Selection Grade with effect from 1-1-1980 or on the subsequent date, as the case may be, and all of them are entitled to back wages and other benefits arising out of their placement in the Selection Grade.

7. According to the management, the F.C.I. Headquarters vide Circular No. 1-19/77-EP dated 18-3-1980 introduced a Scheme for giving Selection Grade to certain Category III and IV employees. This was circulated by

the Zonal Office, Bombay vide No. Estt/32/9/80 dated 2-4-1980. The Circular clearly provides the criteria to be followed in the matter of appointing the eligible Category IV employees to the Selection Grade Scales. According to these instructions, the number of Selection Grade posts initially sanctioned as also the need for their continuance in a particular cadre should be reviewed every three years and the Selection Grade posts to be varied or discontinued, as the case may be. The review of the Scheme is required to be undertaken every three years with effect from 1-1-1983, 1-1-1986 and so on.

8. The seniority list of Category IV employees working in Maharashtra Region and Goa is maintained in the Regional basis and not on District basis. In accordance with the Scheme and following the criteria mentioned therein the number of posts to be created against the Selection Grade in each type of Category IV were out as on 1-1-1980 and thereafter the cases of all the eligible Category IV employees from the combined regional seniority list was considered. The employees who were found suitable for the appointment to the Selection Grade scales were appointed with effect from 1-1-1980 vide order dated 31-8-1982. It was further averred that in accordance with the instructions/procedure initiated in the Scheme, the cases were taken up for review with effect from 1-1-1983. After review and ascertaining the position of the Selection Grade posts applicable as on 1-1-1983, the eligible Category IV employees from the Regional seniority list were considered. Employees who were found suitable for appointment in the Selection Grade were accordingly appointed with effect from 1-1-1983 vide order dated 23-12-1985. No discriminatory treatment has been given to any employee as alleged. Posts in the Selection Grade were created only in such Category IV posts where it was found essential after following the laid down guide lines. No favour has been shown to any employee. The position has been reviewed as on 1-1-1983 and necessary orders in respect of the eligible employees have also been issued on 23-12-1985. The working sheet for the creation of Selection Grade posts in different categories of IV posts as on 1-1-1980 and 1-1-1983 has been filed. In view of the position explained above the reference is liable to be rejected because there is no such dispute as alleged.

9. The Reference is the Issue in this case.

10. The management has filed certain documents as per Annexure A to N as part of their written statement in support of its contention. Management has also filed the documents required by the workmen vide proceedings dated 17-12-1986. Parties did not care to get those documents proved and on their request the case was fixed for final arguments and after the arguments were heard the case was fixed for award.

11. Though the documents placed on record but have not been proved and no oral evidence has been led in this regard. There is no material to show that the Circular referred to in the Schedule has not been followed or has not been given effect to or Selection Grade has not been given to the Category III and IV employees with effect from 1-1-1983 as stated by the Union. There is nothing to show that any discrimination has been done with the workmen. There is nothing to show that the cases of the workmen concerned have not been considered or Selection Grade in accordance with the Circular has not been given. There appears to be no cause of action at least there is no proof to show that there is any violation of the said Circular and as such the reference is answered in the negative.

12. To add the Union has failed to point out as to who are those workmen whose cases have not been considered, who are those workmen who were entitled to the Selection Grade and have been discriminated and so on. Thus not only the reference is vague in itself but it is not supported by any factual position to enable this Tribunal to find out that the Circular has not been followed in letters or in spirit or that discrimination has been done with certain individuals or certain category of employees. That being so, the reference is answered as follows :—

The Union has failed to establish how the management of F.C.I. Nagpur has not implemented the Scheme

dated 18-3-1980, who are those eligible workmen who were discriminated in getting the Selection Grade. Therefore the action of the management of Food Corporation of India, Nagpur in not implementing their own Circular No. Estt./32/9/90 dated 2-4-1980/Head Office Circular No. 1-19/77-EP dated 18-3-1980 in giving selection grade of Category III and IV employees with effect from 1-1-1983 is justified. Workmen are, therefore, not entitled to any relief. No order as to costs.

V. N. SHUKLA, Presiding Officer

[No. L-42671/20.84-D (V)]

का. अ. 852—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में केन्द्रीय सरकार महानगर टेलीफोन निगम लिमिटेड के प्रबन्धतन्त्र के सदस्य नियोजका और उनके कर्मचारियों के बीच अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, बम्बई के पंचद को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-91 को प्राप्त हुआ था।

S.O. 852.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Mahanagar Telephone Nigam Ltd. and their workmen, which was received by the Central Government on 26-2-1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Presiding Officer—Justice S. N. Khatri.

Reference No. C.G.I.T-5 of 1990

PARTIES :

Employers in relation to the Management of Mahanagar Telephone Nigam Limited

AND

Their workmen

APPEARANCES :

For the Management—Shri Vinay S. Masurkar, Advocate.

For the Workmen—Shri G. S. Karkaria, Advocate.

INDUSTRY : Telephone STATE : Bombay

Bombay, the 20th February, 1991

AWARD

The Central Government has referred the following industrial dispute to this Tribunal under Section 10 of the Industrial Dispute Act, 1947, for adjudication.

"Whether the action of the Management of Mahanagar Telephone Nigam Limited, Bombay in terminating the services of Mr. Yoganarayan Yadav, Casual Labour is legal and justified? If not, to what relief the workman is entitled to?"

2. Admittedly Yoganarayan R. Yadav (hereafter 'the Workman') was employed by Mahanagar Telephone Nigam Limited, Bombay in 1980 as a Mazdoor with the designation "Casual Labour". He worked in that capacity till 23-1-86. By an order dated 4-3-86 (Ex W-5) his services were terminated. The Order runs as follows :

"Services of Shri Yoganarayan R. Yadav, Casual Labourer, Sitaram Mishra Ki Chawl, Ambawadi, S. V. Road, Dahisar (E), Bombay-68 is hereby terminated as he is involved in a theft case and his integrity is doubtful."

3. Although this Order is dated 4-3-86, there is no dispute between the parties that the workman had worked till 23-1-86 only. It is also not in dispute that the Management

suspected that he had committed theft of then Cable Wire. The Workman made a representation dated 6-3-86 against his termination, which was rejected by Shri K. C. Saluja, Divisional Engineer, by his letter 5-6-86 (Ex. W-8) in the following terms :—

"With reference to your above representation it is intimated that the investigations carried out in the matter do not favour reinstatement in service."

The Workman sent further representation on 1-7-86 and one more on 6-8-87 through his Advocate. These are Ex. W-9 and Ex. W-10 respectively. As there was no response, he moved the Assistant Labour Commissioner (Central), Bombay, for conciliation. On his failure report, the Central Government referred the aforesaid dispute to this Tribunal.

4. The Workman contends that as the termination of his services is by way of punishment, it is absolutely illegal and unjustified because there was no enquiry held in his presence. Whatever investigation the Management claim to have carried out, is, according to him, of no avail because it was not done in his presence. He therefore, claims reinstatement with full back wages and further directions that he may be granted promotion on the basis of interviews given by him in 1984 and may be regularised as Wireman.

5. The Management have resisted the claim by their written statement. Their primary plea is that the Workman was a Casual Labourer and as such it was not necessary to hold any domestic enquiry. In the alternative they plead that necessary enquiry was actually held in this case. As regards his claim for promotion on the strength of alleged interviews in 1984, they say that Casual Labourers employed upto 1-4-80 only have been regularised, while the present Workman was employed thereafter. Further no appointments were made as Wireman, because of want of sanction for posts. Thus they deny the Workman's claim in toto. Issues and my findings are stated below :

Issues

Findings

- Whether it has incumbent on the Management to hold a domestic enquiry in the present case before terminating the services of the Workman ? Yes
- Whether such a domestic enquiry was held by the Management ? No
- If yes, whether the enquiry is vitiated for breach of the principles of natural justice ? Does not survive. If necessary, Yes.
- Is the termination of the Workman's service legal and justified ? No
- Is the Workman entitled to : Yes on both parts, see last para.
(i) reinstatement and
(ii) back wages ?

REASONS FOR FINDINGS

6. Issues 1 to 3.—Both parties have filed documents, which have been exhibited by consent. The Workman has filed his affidavit in support of his case and the Management have not cross-examined him. The latter have not filed any affidavit in rebuttal.

7. The text of the termination order is extracted above in para 2 supra. It patently casts stigma on the Workman, alleging his involvement in theft and also describing his integrity as doubtful. The order is obviously penal in nature and does not amount to 'retrenchment' as defined in section 2(oo) of the Act. Smt. Masurkar for the Management urges that the Workman is not entitled to press for a domestic enquiry inasmuch as he is not a permanent employee. The Law is well-settled that even where a temporary employee is removed from service by way of punishment, an inquiry is necessary, in which he is informed of the charges against him and given an opportunity to defend himself. The investigation sought to be relied upon by the Management was in the nature of a preliminary enquiry, admittedly held in absence of the Workman. Smt.

Masurkar urges that the investigation could not be held in presence of the Workman, because the latter had absconded. No such case is made out in the written statement. The documents on the record point to the contrary. The correspondence shows that immediately on receipt of the impugned Order (Ex. W-5) dated 4-3-86, the Workman submitted as many as four representations to the Management (Ex. W-6, 7, 9 and 10) on 6-3-86, 29-5-86, 1-7-86 and 6-8-87 respectively. He further lodged his grievance with the Regional Labour Commissioner in September 1987 (Ex. W-11). There is no substance in the Management's contention that the Workman had absconded after 18th January, 1986. Accordingly I hold that it was incumbent on the Management to hold a domestic enquiry, that such enquiry was not held by them and that the so called investigations carried out by them were ex-parte and cannot be a substitute for the domestic enquiry, in which principles of natural justice can be said to have been followed. Issues 1 to 3 are answered accordingly. Smt. Masurkar relies upon a decision of the Supreme Court reported in 67 SLR 458 State of UP Vs. Abdul Khaliq. It is of no avail to the Management, as the termination order there did not cast any stigma on the employee.

8. Issue No. 4—The present one is a case of no enquiry. The Management have not requested for permission in the written statement or any where else to lead evidence on the merits of the charges before the Tribunal. The termination Order dated 4-3-86 must in the circumstances be set aside.

9. Issue No. 5—The Workman will be entitled to reinstatement as well as full back wages, in absence of any evidence to show that he was gainfully employed anywhere. The reinstatement will of-course be with all benefits of continuity of service, including consideration of the workman for regularisation and promotion, if he is entitled to the same as a result of his interviews given by him in 1984 or otherwise. I make the following Award.

The termination of Workman's services is illegal and unjustified and is hereby set aside. The Management are directed to reinstate him with all benefits of continuity of service and pay full back wages to him from 23-1-86 till reinstatement. The Management shall pay Rs. 1500 by way of costs to him and bear their own.

S. N. KHATRI, Presiding Officer
[No. L 40012/73/89-IR (DU) (P.L.)]

K. V. B. UNNY, Desk Officer

नई दिल्ली, 26 फरवरी, 1991

का. भा. 853.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार भारतीय स्टेट बैंक, के प्रबन्धन के संबंध में जो उनके कर्मचारियों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में श्रम न्यायालय परनाकुलम के पंचद को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-91 को प्राप्त हुआ था।

New Delhi, the 26th February, 1991

S.O. 853.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on the 26-2-91.

ANNEXURE

IN THE LABOUR COURT, ERNAKULAM

Friday, the 15th day of February, 1991

Industrial Dispute No. 7/88 (C)

BETWEEN

The Management of State Bank of India represented by the Chief Regional Manager, State Bank of India, Regional Office, Anandavilasam Palace, East Fort, Trivandrum-695023.

AND

Their workmen represented by the Deputy General Secretary, State Bank Staff Union, C/o State Bank of India, Regional Office, CHS Compound, Opp. Corporation Building, Trivandrum-695033.

REPRESENTATIONS :

Shri B. S. Krishnan,

Advocate, Kochi 16.

—For Management.

Shri A. V. Xavier,

Advocate, Kochi-11.

—For Union.

AWARD

The Government of India, Ministry of Labour, New Delhi as per Order No. L-12012/(193)/88-D.III(A), dated 28-7-1988 has referred the following issue to this Court for adjudication :—

“Whether the action of the management of the State Bank of India in dismissing Shri M. K. Sadasivan, Head Clerk, Calicut Branch from service w.e.f. 18-4-1985 is justified? If not, to what relief the workman is entitled?”

II. The dismissal under attack was after a domestic enquiry the correctness of which was challenged by the Union. I had disposed of the objection regarding the domestic enquiry as per my preliminary order dated 7-1-1991. It is unnecessary to repeat the facts and the contentions as they have been narrated in that order. I shall here extract the same in full :—

“PRELIMINARY ORDER

The industrial dispute between the above parties was referred to this Court for adjudication by the Government of India, Ministry of Labour, New Delhi as per Order No. L-12012(193) 88-D.III (A), dated 28-7-1988. The issue referred for adjudication is the following :—

“Whether the action of the management of the State Bank of India in dismissing Sri M. K. Sadasivan, Head Clerk, Calicut Branch from service w.e.f. 18-4-1985 is justified? If not, to what relief the workman is entitled?”

2. In the claim statement filed by the Union it is stated as follows :—

The delinquent workman was the Head Clerk in the Calicut Branch of the State Bank of India and he was dismissed from service by an order dated 18-4-1985. The workman filed an appeal as provided in the Sastry Award but the same was dismissed by the Chief Regional Manager. The workman had put in 19 and odd years of unblemished service when he was dismissed. He has been unemployed since the dismissal. The sole income to his family consisting of his unemployed wife and three children was the salary from the management Bank. He has also the burden of looking after his aged father and mother and an unemployed brother. The workman has not committed any acts of misconduct warranting such a maximum punishment. The allegation of acts of misconduct and the disciplinary actions on him are only reactions to the union activities of the workmen and to the union at large. The new Chief General Manager after taking charge of the Madras Circle, took steps to effect a massive transfer of active union members and its office bearers. This move was strongly opposed by the Union. The Chief General Manager did not even have the courtesy to meet the office bearers who went to discuss the problems caused to the employees as a result of the massive transfer. So they were forced to start an agitation against the massive transfer. The agitations spread to Kerala as well. Ultimately the management was forced to drop the idea of massive transfer. Thereafter the management took revenue on the active union members and its office-bearers giving some flimsy reasons, to justify their actions. The workman under reference is one among such victims. The fact of victimisation is more evident from the attitude of the management towards some employees who left the union after disciplinary actions were taken against them. Two charge sheets were issued to the workman. The charges relate to a deemed loan for Rs. 4,000 availed of on 9-7-80 and reimbursement of a bill for Rs. 1862 on 4-2-1981. Explanations to these charges had been called for and the same had been given then and there. As there was no further actions from the management the workman took it for

granted that the explanations given were fully satisfactory. So he was taken a back on receiving from the management suspension order after a lapse of about two years in one instance and about a year in the other. Following the suspension order a domestic enquiry was conducted. The explanations given by the workman to the charges and the oral and documentary evidence adduced in the enquiry were not properly considered by the Enquiry Officer in entering his findings. The enquiry officer failed to note the attempt on the part of the management to fabricate evidence against the workman through its officers. As there is no material evidence in the enquiry to find the workman guilty, the report of the enquiry officer contains perverse findings. The amount and the interest was paid back as directed by the management. So any further action in this regard amounts to a double punishment which is against law and the principles of natural justice. To find the workman guilty on the second charge, the documents relied upon are the trip-sheet and cash receipt of the car in which the workman travelled to Trivandrum. The difference in the initial letter of the name of the driver in these documents has been taken as ground for holding them false. But the aspect that they were written by two persons, one by the owner of the car and the other by its driver with no proper knowledge of Malayalam has not been considered by the Enquiry Officer. The oral evidence of the owner and the driver has been ignored by the Enquiry Officer. In short tangible evidence to find the workman not guilty were brushed aside and the workman was found guilty by surmises. The proceedings of the enquiry and appeal etc. were all empty formalities. The workman was victimised for his union activities. The workman has not committed the acts of misconduct alleged against him. The charges alleged against him if found proved they were not so serious to warrant the maximum punishment of dismissal without notice. The workman may be reinstated in service with continuity of service and back wages.

3. The Management has filed a counter statement contending as follows:—

The charges against the workman in the charge-sheet dated 27-10-81 were that on 9-9-80 he availed of a demand loan for Rs. 4000 for purchasing a scooter. He was bound by the agreement executed in favour of the Bank to purchase the vehicle within one month of availing of the loan. If he had not purchased the vehicle so he was duty bound to remit back the loan amount. He did not purchase the vehicle as stipulated. He also did not repay the loan amount. He repaid the loan amount only in July, 1981 after a period of one year and that too by availing of a gold loan for Rs. 3100. Thus he misutilised the bank's funds. The charges in the charge-sheet dated 17-7-1982 were that he submitted a bill for Rs. 1862 towards leave concession facility stating that he had incurred expenses for himself and his family members. He produced a stamped receipt and a tourist taxi receipt in support of his claims. The signature on the tourist taxi receipt was not genuine. He did not undertake the trip as mentioned in his application. Thus he misused the Leave Concession Facility. A domestic enquiry was arranged by appointing Sri K.P.B.C. Menon, Officer of the Bank, as the Enquiry Officer. The enquiry officer has conducted the enquiry in full compliance with the principles of natural justice. The workman has fully availed such opportunities. He was represented in the enquiry by Sri A. P. Gopalakrishnan, Deputy General Secretary of the Union and effectively defended his case. The Enquiry Officer submitted reports finding him guilty of the charges alleged against him. The workman was given an opportunity of hearing regarding the proposed punishment of dismissal without notice. The workman has filed an appeal against the order of dismissal. The Appellate Authority considered all the relevant matters regarding the case and was satisfied that there was no extenuating facts or circumstances so as to interfere with the punishment. The plea of the workman that he is victimised for his union activities will not stand as the dismissal is for proved misconducts. The allegation that the disciplinary action is pursuant to his union activities is allegations for the sake of allegations and without any basis. The proved charges against the workman cannot be denoted as flimsy. There was no favouritism shown to anybody in any manner, based on their union membership or otherwise. The findings of the enquiry officer are based on reasons and it cannot be pictured as perverse in any manner. The report of the Enquiry Officer is based on the appreciation of evidence

adduced by either parties. No brief was submitted by the workman before finalisation of the enquiry report. The default committed by the workman is made use of for making allegations against the Enquiry Officer. The written brief was submitted by the delinquent of late. As the report was finalised and the same was submitted to the Disciplinary Authority, the enquiry officer has remitted the same to the Disciplinary Authority. The Disciplinary Authority has considered the written brief and a personal hearing was also given to the workman in this regard. The enquiry cannot be assailed in any manner. If for any reason whatsoever, this court finds that the enquiry is defective, the management may be permitted to adduce evidence afresh so as to enable the management to establish the charges before this court. An award may be passed upholding the action taken by the management.

4. The Union has filed a reply statement reiterating its claims in the claim statement and refuting the contentions in the counter statement.

5. The points that arise for consideration are whether the enquiry conducted by the enquiry officer is legal and proper and whether the findings entered into by the Enquiry Officer are supported by legal evidence?

6. The enquiry officer was examined as MW1 and Exts. M1 and M2 were marked.

7. The workman was an employee of the Management Bank. While he was working as Head Clerk in the Calicut Branch of the Management Bank he was served with two charge-sheets dated 27-10-1981 and 17-7-1982. The workman submitted his explanations denying the charges. Not satisfied with the explanations submitted by the delinquent, the Management decided to conduct a domestic enquiry. The enquiry officer who conducted the enquiry made his reports as is evidenced by Exts. M1 and M2. Ext. M1 is the enquiry conducted relating to the charge-sheet dated 27-10-1981 and Ext. M2 is the report of the Enquiry Officer relating to the charge-sheet dated 17-7-1982. In the enquiry it was found by the Enquiry Officer that the delinquent is guilty of the charge. Accepting the findings of the Enquiry Officer and taking into consideration the other connected matters, the Management dismissed the delinquent from service. Aggrieved by the said dismissal the Union espoused the cause of the workman by raising an industrial dispute which culminated in the reference. The findings of the Enquiry Officer are challenged by the Union on behalf of the workman on the grounds that the enquiry was not conducted in conformity with the principles of natural justice and the findings of the enquiry officer are perverse and not supported with legal evidence.

8. The Enquiry Officer was examined as MW1 who would depose that he conducted the enquiry into the charges contained in the charge-sheets dated 27-10-1981 and 17-7-1982. Separate enquiries were held in the matter. He would further depose that in both the enquiries the workman participated fully and the workman was allowed to be represented by Union leaders and the Enquiry Officer has complied with all the principles of natural justice in conducting the enquiry. On perusal of the enquiry reports Exts. M1 and M2 it can be seen that the enquiry officer has given the delinquent sufficient opportunity of being heard by affording him a chance to cross-examine the witnesses of the Management and also to cross-examine his own witnesses. He was also supplied with the list of documents and witnesses sufficiently earlier before conducting the enquiry. It can also be seen from Exts. M1 and M2 that the representative of the delinquent has participated in the enquiry effectively and efficiently. In these circumstances I find that the enquiry conducted by the enquiry officer is in compliance with the principles of natural justice and therefore the enquiry conducted is legal and proper.

9. Now remains the question of the correctness of the findings entered into by the Enquiry Officer. The first charge against the delinquent is that on 9-9-1980 he had availed of a demand loan for Rs. 4000 for purchasing a scooter but did not purchase the vehicle, within one month of availing of the advance as per the laid down rules and agreement on

Form 'A' executed by him. He did not repay the loan amount, since he had not purchased the vehicle. But he repaid the amount only on July 1981, after a period of one year. Thus he misused the Bank's funds. According to the Management, it is an act of prejudice to the interest of the Bank. But according to the workman, he has repaid the amount with penal interest of 18 per cent and there is no prejudice to the interest of the Bank. According to him, he could not purchase the scooter due to unforeseen reasons. He would further allege that since he has been penalised by the Management by recovering from him penal interest of 18 per cent on the amount, he should not be punished again for the same misconduct.

10. The fact that the delinquent workman took loan for purchasing scooter after executing an agreement and he has violated the terms of the agreement without purchasing the scooter as stipulated in the agreement is not disputed by the delinquent. Therefore the finding of the Enquiry Officer that there is mis-utilisation of loan amount is correct. It follows that the finding of the Enquiry Officer that the delinquent is guilty of charge contained in the charge-sheet dated 27-10-1981 is legal and proper.

11. The second charge is that the delinquent submitted a bill for Rs. 1,862 towards Leave Fare Concession facility stating that he had incurred expenses for himself and his family members and he produced a stamped receipt and a tourist taxi receipt in support of his claims. According to the Management, the signature on the taxi receipt for Rs. 1,862 was not genuine and he did not undertake the trip as mentioned in his application for the said facility and thus he misused the Leave Fare Concession Facility and behaved in a manner prejudicial to the interest of the Bank. The fact that a bill for Rs. 1,862 towards Leave Fare Concession Facility stating that the delinquent had incurred expenses for himself and his family members, was submitted to the management is admitted by the delinquent. It is also an admitted fact that he produced a stamped receipt and a tourist taxi receipt in support of his claims. According to the Management the signature on the tourist taxi receipt for Rs. 1,862 was not genuine and therefore he did not undertake the trip as mentioned in his applications.

12. It can be seen from the evidence in the enquiry that expert opinion was that the signature appearing on the trip sheet is not that of the person who signed the money receipt letter written by the driver to M. K. Sadasivan and the statement given by the driver to M. Mukundan. But it is proved in the enquiry that the trip sheet and the money receipt were signed by Bhuniprakash. The signature appearing in the trip sheet differs from the above three signatures. So the expert confirmed that the signature appearing on the trip sheet is not that of the person who has signed the other three documents. But the taxi driver had confirmed that the trip sheet was written and signed by him. MW1, the enquiry officer, would also depose that he arrived at the finding taking into consideration the fact that Exts. PFX 6 and 7 were written by different persons and he would further depose that he cannot say who has written different letters. He would also depose in the Re-examination that he has considered the signature aspect in Ext. PFX 6 and PFX 7. On the available evidence adduced in the enquiry it can be seen that the Management has succeeded in proving that the delinquent workman did not undertake the trip as stated in the application and the signature in the tourist taxi receipt was not genuine. Hence I find that the enquiry officer has entered his findings taking into consideration the available evidence adduced before him and those findings are not perverse, but are supported by legal evidence. Therefore I hold that the finding of the enquiry officer on the second charge is also supported by legal evidence.

13. According to the workman, he was victimised by the Management as he was an active trade union worker. But in view of the proved misconducts it cannot be said that there is any act of victimisation. Therefore the contention of the delinquent that he was dismissed as an act of victimisation will not sustain.

14. In the result it is hereby ordered that there was a proper and valid domestic enquiry into the charges alleged against Shri M. K. Sadasivan and the findings entered into by the Enquiry Officer are supported by legal evidence and so those findings are also found to be correct."

III. The only question remaining for consideration is as to whether the workman is entitled to any relief in the matter of punishment provided under Section II-A of the Industrial Disputes Act. The workman was charge-sheeted for the misconduct of non-purchase of vehicle after availing of the loan and for mis-utilisation of Bank funds. According to the learned counsel for the Union, the punishment of dismissal imposed on the workman is disproportionate to the gravity of the misconduct committed by the workman and the punishment should commensurate with the gravity of the misconduct. Taking into consideration the gravity of the misconduct and other attendant circumstances I am of opinion that the punishment of dismissal imposed on the delinquent workman is disproportionate and unjustifiable and justice will be met if he is reinstated in service without back wages but with continuity of service, as the forfeiture of back wages is a sufficient punishment for the misconduct committed by the delinquent.

IV. In the result an award is passed directing the Management to reinstate the workman Shri M. K. Sadasivan in service without back wages, but with continuity of service, forthwith.

Ernakulam,
15-2-1991.

R. RAVEENDRAN, Presiding Officer
[No. L-12012/193/88-D III(A)]

APPENDIX

Witness examined on the Management's Side :

MW1, Shri K. P. B. C. Menon.

Exhibits marked on the Management's Side :

Ext. M1.—File relating to the domestic enquiry held against Shri M. K. Sadasivan in regard to the charge-sheet dated 27-10-1981.

Ext. M2.—File relating to the domestic enquiry held against Shri M. K. Sadasivan in regard to the charge-sheet dated 9-9-1980.

नई दिल्ली, 27 फरवरी, 1991

का. अा. 854 .—औद्योगिक विवाद अधिनियम 1917 (1947 का 14) की धारा 17 के अनुसूचन में केन्द्रीय सरकार भारतीय स्टेट बैंक जबलपुर के प्रबन्धन के सबब नियोजकों और उनके कर्म-वानों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अथ न्यायलय जबलपुर के पंचपर को प्रकाशित करती है जो केन्द्रीय सरकार को 27 फरवरी 1991 को प्राप्त हुआ था।

New Delhi, the 27th February, 1991

S.O. 854.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, Jabalpur and their workmen, which was received by the Central Government on the 27-2-1991.

ANNEXURE

BEFORE SHRI V.N. SHUKLA, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR (M.P.)

CASE No. CGIT/LC (R) (182)/1987

PARTIES:

Employers in relation to the management of State Bank of India, Jabalpur and their workmen named under the Schedule represented by Shri .D.P. Tiwari, Dy. General Secretary, State Bank of India Employees' Union (Bhopal Circle), Jabalpur (M.P.)

APPEARANCES:

For Workmen

Shri D.P. Tiwari

For Management

Shri A.K. Verma

INDUSTRY : Banking

DISTRICT: Jabalpur (M.P.)

AWARD

Dated: February 12, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/31/87-D-2(A)/D-4(A) Dated 18-9-1987, or adjudication of the following dispute :—

“Whether the action of the management of State Bank of India, Jabalpur, in terminating the service of the following five workmen w.e.f. the dates indicated against each is justified ? If not, to what relief the concerned workmen are entitled ?”

Name of the workman	Designation	Name of the Branch	Date of termination
S/Shri			
Mahendra Kumar Kathal	Messenger	Tula Ram Chowk.	12-07-1986
Harikrishna Pandey	Messenger	Khamaria (Jhansighat)	02-08-1986
Rakesh Kumar Dixit	Waterboy-cum-Canteen boy-cum-Messenger	Ordnance Factory Khatni.	01-09-1986
Chaturbhuj Bisen	Messenger	Balaghat	31-03-1986
Ajay Kumar Sahu	Messenger	Regional Office	31-03-1986

2. Undisputed facts of the case are that the workmen worked with the management for a certain period and their services were terminated as detailed belows :—

Sl. No.	Name of workmen	Date of termination
1.	Mahendra Kumar Kathal Messenger	12-7-86
2.	Hari Krishna Pandey Messenger	2-8-86
3.	Rakesh Kumar Dixit Waterboy-cum-canteen boy-cum-messenger	1-9-86
4.	Chaturbhuj Bisen Messenger	31-3-86
5.	Ajay Kumar Sahu Messenger.	31-3-86

3. The workmen worked for the following period as detailed in the Schedule given by the management as under :

Name of the workman/designation	Date of initial appointment	Date of termination	Name of Branch
Mahendra Kumar Kathal, Messenger	15-4-78 at Adhartal Branch	12-7-86	Tularam Chowk
Hari Kishan Pandey, Messenger	1-8-1979 at Jabalpur Reg. office.	2-8-86	Khamaria (Jhansighat)
Rakesh Kumar Dixit, Waterboy-cum-canteen boy-cum-messenger.	1-6-1984 at Ord. Factory Katni.	1-9-86	Ordnance Factory, Katni.
Chaturbhuj Bisen Messenger	21-9-1983, at Balaghat.	31-3-86	Balaghat.
Ajay Kumar Sahu, Messenger.	5-11-1979	31-3-86	Regional Office, Jabalpur.

3. The case of the workman in brief is that the workmen were appointed against existing vacant posts in subordinate cadre in the category of permanent employee as defined in para 503 of the Sastri Award. The work performed by the workmen concerned is of permanent nature and they have been stopped from attending to their duties not for the reason of want of work. The management engaged fresh hands in place of the workmen for attending the same work after discontinuing the employment of the workmen concerned in this dispute. Management has caused deliberate breaks in the employment of the workmen with an ulterior motive to deprive them of the benefits of permanency and protection available under the Industrial Disputes Act.

4. They have been discontinued from the employment without any reason notice, notice pay or compensation despite the directives of the said award and contrary to the provisions of the Industrial Disputes Act, 1947.

5. The Bank management has issued circular, instructions to its officers regarding engaging person in the subordinate cadre for few days and to discontinue their employment on expiry of 75/90/200 days and they are not to be given employment there after. Officers have also been asked to engage fresh hands after discontinuing such workmen from working. This is unfair labour practice. They are in continuous service of the Bank within the meaning of Sec. 25B of the I.D. Act as the cessation of work is not due to any fault on the part of the workmen concerned. Despite their representations and conciliation proceeding the workmen have not been given redress. The workmen pray that it be held that the action of the management in terminating/discontinuing the services of the workmen is illegal, unjustified and void and they be granted relief of benefit of continuity of service, reinstatement in service with full back wages and all other benefits to which the workmen would have been entitled to for the wrongful termination of their employment.

6. According to the management, the workmen are not "workmen" within the meaning of Sec. 2(s) of the I.D. Act. They never worked continuously in one year for 240 days excluding Sundays and holiday. They were daily rated workmen. Their work commenced with the beginning of the day and ended with the close of the working hours. The provisions of Sec. 25B of the I.D. Act are not applicable. Management has denied that there were existing posts in the subordinate cadre in the category of permanent employee as defined in para 508 of the Sastri Award. They have denied that deliberate break was caused by the management. All other adverse allegations were denied by the management. Workmen have worked as follows :—

1. Mahendra Kumar Kathal

Period of duties performed	No. of days.	Place of appointment.
2-7-79 to 11-10-79	81	O.M.S. Jabalpur
13-6-80 to 17-7-80	30	
26-12-85 to 12-7-86	162	Tularam Chowk, Jabalpur
	273	

2. Harikrishna Pandey

1-8-79 to 31-8-79	24	Khamaria
1-9-79 to 30-9-79	24	Jhansinghat
1-10-79 to 31-10-79	24	
1-11-79 to 12-11-79	10	
21-1-86 to 31-1-86	10	
1-2-86 to 28-2-86	24	
1-3-86 to 31-3-86	24	
1-4-86 to 30-4-86	24	
1-5-86 to 31-5-86	26	
1-6-86 to 30-6-86	24	
1-7-86 to 31-7-86	27	
1-8-86 to 2-8-86	02	
	243	

3. Rakesh Kumar Dixit

1-6-84 to 22-6-84		
24-6-84 to 2-7-84	30	O.F. Katni Bt.
1-8-84 to 31-8-84		
1-9-84 to 12-9-84	43	
5-11-85 to 7-11-85	03	
29-12-85	01	
31-12-85	01	
6-1-86 to 31-1-86	26	
1-2-86 to 28-2-86	28	
31-3-86	01	
17-4-86	01	
6-5-86	01	
	135	
19-4-84 to 30-4-84	12	worked as casual labour for sprinkling
1-5-86 to 30-6-86	61	khas tatties.
December 86	31	Worked as Canteen boy in the Staff
March to August 86	184	Welfare Canteen run by Local Implemen-
	288	tation Committee

4. Chaturbhuj Bisen.

21-8-83 to 21-10-83	62	Balaghat
24-10-83 to 18-11-83	26	
22-8-84 to 14-8-84	17	
16-9-84 to 16-11-84	48	

Period of duties performed	No. of days	Placement of appointment
3, 15 & 16 July	03	
26-8-85 to 8-9-85	12	
12-9-85 to 22-10-85	35	}
25-10-85 to 31-10-85		
1-11-85 to 31-12-85	47	
	250	
5. Ajay Kumar Sahu		
5-11-79 to 26-2-80	90	O.M.S. Jabalpur
13-6-80 to 24-7-80	30	
16-8-85 to 31-3-86	181	
	301	

7. The management has therefore contended that the workmen are not entitled to any relief. Reference is, therefore, liable to be rejected.

8. Reference was the issue in this case.

9. Facts of this case are almost undisputed as detailed in paras 2 & 6 of the award in relation to the date of appointment, date of termination and the period during which the workmen concerned worked in the capacity given therein.

10. I have also gone through the documents Ex. M/1 to Ex. M/89 and the testimony of the witness for the management viz. Kailash Nath Bajpai (M.W. 1), N. C. Sahni (M. W. 2), S. K. Srivastava (M. W. 3), R. K. Nema (M. W. 4), D. K. Jain Branch Manager (M. W. 5), S. P. Mishra (M. W. 6), and S. N. Lamba (M. W. 7).

11. Two substantial points emerge in the instant case.—

- (1) Whether there was artificial break in service of the workmen concerned and as such they had completed one year's continuous service as envisaged under Section 25-B of the I. D. Act ; and
- (2) Whether there is a violation of the provisions of Section 25-H of the I. D. Act ?

12. It is needless to say that these employees were workmen well within the meaning of Section 2(s) of the I. D. Act and they were retrenched from service as defined in Section 2(oo) of the I. D. Act. Even Tikka Mazdoors have been treated as workmen within the definition of I. D. Act. (See H. D. Singh Vs. Reserve Bank of India and others—1985 SSC (L&S) p. 975; Mohan Lal Vs. Management of M/s. Bharat Electronic Ltd.—AIR 1981 SC 18 ; Management of Karnataka State Roadways Transport Corporation, Bangalore Vs. M. Boraian & another—AIR 1983 SC p. 1320. See also Civil Appeal Nos. 3241-48 of 1981 Punjab Land Development & Reclamation Corporation Ltd. Chandigarh Vs. Presiding Officer, Labour Court & others decided by Supreme Court vide Judgment dated 4-5-1990). Obviously termination of services of these workmen are not within any exceptions of the provisions of law.

13. I may also point out at this stage that the law shall over ride any instructions issued by the management from time to time and if they are contrary to law they cannot prevail over the law.

14. Because both the points involved are intermixed so facts are concerned and can be understood and appreciated in the totality of the circumstances of this case I advance the following facts which are not disputed.

15. The relevant part of the written arguments of the management dated 18-1-1989 is as follows :—

"It is only after due selection by a competitive body that the employees could be appointed. The management submits that even though the applicants were not entitled to any chance for permanent absorption, an opportunity to face the interview for permanent absorption in the Subordinate Cadre was afforded to each one of them. They faced the interview before the selection Committee. However, they were not found suitable for permanent absorption. In the circumstances they could not have been continued for an indefinite period."

This itself reveals of the fact that there was permanent vacancy through out the period the workmen were in employment and they were not absorbed because they could not stand interview which follows by itself that other persons must have been employed in place of these workmen. In this regard I will also refer to the testimony of M. W. 2, N. C. Sahni (cross-examination), M. W. 4, Ramesh Kumar Nema (cross-examination last para), statement of M. W. 5, D. K. Jain (last sentence of his cross-examination), M. W. 6, S. P. Mishra (para 2 of the examination-in-chief and cross-examination).

16. Next question which is material to be decided in this case is whether the service rendered by the workman for a period of 240 days was continuous service. The definition of the expression "continuous service" is preferred with the words "for the purpose of this Chapter" which means that the factor of continuity or interruption of service in terms of this definition is to be limited only for the purpose of this Chapter viz. for calculating qualifying service and payment of compensation under the provisions contained in this Chapter. The words "continuous service" occur in Section 25-B, 25-V, 25-F, 25-FF, 25-FFF in Chapter VI give certain rights and advantages to the workman who have been in "continuous service" for specified period of time. The section further lays down that the service shall be deemed to be continuous in spite of its interruption on account of the reasons added therein and should remain uninterrupted. While dealing with Sub-section (1) related to continuous service for a period, it consists of two parts i.e. (i) uninterrupted service--the use of the words "shall be said to be in continuous service" makes the part of the

definition exhaustive i.e. all interrupted service means continuous service, on account of the following reasons viz. (a) sickness (b) unauthorised leave (c) accident (d) strike which is not illegal (e) lock out and (f) cessation of work i.e. not due to any fault on the part of the workman shall be included in the continuous service

17. Thus by fiction the legislature has included service which may be interrupted on account of any of the reasons in "continuous service" for the purpose of this Chapter. These interruptions have to be ignored to treat the workman in uninterrupted service and such service uninterrupted on account of these cases which would be deemed to be uninterrupted would be "continuous service" for the period for which the workman had been in service (See also *Kishore B. Dava Vs. The Dean, J. J. Group of Hospitals and others* (FIR 1986 (52) p. 380) paras 12 & 13).

18. In the case of *N. Sunderamoney* (AIR 1976 SC p. 111), the workman was appointed off and on by the State Bank of India between July 31, 1973 and August 29, 1973, it was observed that the intermittent breaks notwithstanding his total number of days of employment answered the test of "deemed" continuous service within Section 25-B(2) and both the sides had accepted this situation.

19. While explaining words "actually worked" used in Section 25-B(a) I would like to refer the case of *Workmen of American Express International Banking Corporation Vs. Management of American Express International Banking Corporation* (1985 FIR (51) p. 483). The relevant part of the judgment runs as thus :—

"The expression which we are required to construe is 'actually worked under the employer'. This expression, according to us, cannot mean those days only when the workman worked with hammer, sickle or pen, but must necessarily comprehend all those days during which he was in the employment of the employer and for which he had been paid wages either under express or implied contract of service or by compulsion of statute, standing orders etc. The learned counsel for the Management would urge that only those days which are mentioned in the Explanation to section 25-B (2) should be taken into account for the purpose of calculating the number of days on which the workman had actually worked though he had not so worked and no other days. We do not think that we are entitled to so constrain the construction of the expression 'actually worked under the employer' is capable of comprehending the days during which the workman was in employment and was paid wages and we see no impediment to so construe the expression there is no reason why the expression should be limited by the explanation. To give it any other meaning than what we have done would bring the object of Section 25-F very close to frustration. It is not necessary to give examples of how 25-F may be frustrated as they are too obvious to be stated."

20. See also *O. P. Malhotra* "The Law of Industrial Disputes, Fourth Edition, Vol. II at page 1312", the relevant part of which runs as under :—

"There could, therefore, be no scope for argument that paid holidays are to be included in "actually worked", certain deemed actual working days. Only those days which are provided in the explanation could be included in calculating 240 days in addition to the actual working days. The Explanation to Section 25-B has included in the expression "the actually worked", certain deemed actual working days. Only those days which are provided in the explanation could be included in calculating 240 days in addition to the actual working days. The meaning of the words "actually worked" cannot be enlarged beyond what is contained in the Explanation."

It has further been expressed as follows :—

"It is for the workman to show by adducing relevant evidence that he has been in continuous service for not less than one year under the employer who had retrenched him from service and during the period of twelve months, he had served for not less than 240 days for maintaining his complaint that the provisions of S. 25-F were not complied with."

21. In the instant case, as already stated above, the date of appointed, date of termination and the period during which the workmen concerned worked is almost undisputed. Cessation of the work was not due to any fault on the part of the workmen as pleaded by them and therefore it shall be included in the continuous service. The workmen therefore would be deemed to be in continuous service despite the interruption in the service as pointed out by the management.

22. I will not deal in details with the other points raised by the workmen viz. whether other workmen were given job or the workmen had passed test and even then they were not employed or various other workmen were employed after their termination of service or they were not given chance to appear in the examination and interview, but I shall be required to look into them because they are not only relevant for the purpose of this reference but are ancillary to the reference. The reference is very clear and within its scope as to the validity of termination of these workmen from service with effect from the dates mentioned in the reference order and if not what relief are the workmen concerned entitled to, these points do strike to find out the fairness of the play. In this regard, there are various judgments and I will cite few. They are *Calcutta Electric Supply Corporation Ltd. Vs. Calcutta Electric Supply Workers Union and other* (AIR 1959 SC 119) ; *Firestone Tyre and Rubber Co. of India (P) Ltd. Vs. Workmen employed represented by the Firestone Tyre Employees Union* (AIR 1981 SC 1626). Thus if certain facts lead to help the Tribunal to arrive at a proper conclusion, they shall certainly be considered as I have already pointed out in para 11 of the award.

23. Before computing work actually done by the workmen I would certainly like to reproduce para 4 of the Judgement of *Workmen of American Express International Banking Corporation* (supra) which runs as under :—

"The principles of statutory construction are well settled. Words occurring in statutes of liberal import such as social welfare legislation and Human Rights legislation are not to be put in procrustean beds or shrunk to Liliputian dimensions. In construing those legislations the imposture of literal construction must be avoided and the prodigality of its misapplication must be recognised and reduced. Judges ought to be more concerned with the 'colour', the 'content' and the 'context' of such statutes (we have borrowed the words from Lord Wilberforce's opinion in *Prenn v. Simmonds*, (6) (1971) (3) A.E.R. 237). In the same opinion Lord Wilberforce pointed out that law is not to be left behind in some island of literal interpretation but is to enquire beyond the language, unisolated from the matrix of facts in which they are set ; the law is not to be interpreted purely on the internal Linguistic considerations. In one of the cases cited before us, that is *Surendra Kumar Verma V. Central Government Industrial Tribunal-cum-Labour Court*, (supra) we had occasion to say, "Semantic luxuries are misplaced in the interpretation of 'bread and butter' statutes. Welfare statutes must, of necessity, receive a broad interpretation. Where legislation is designed to give relief against certain kinds of mischief, the Court is not to make inroads by making etymological executions."

24. As I have already pointed out above in para 16 to 19 of the judgment I may clarify the position by reproducing relevant part of para 14 of the judgment of *S. K. Verma*

etc. Vs Central Industrial Tribunal-cum-Labour Court, New Delhi (AIR 1981 SC p. 422) which runs as under :—

"14. On the other question decided by my learned brother I have no hesitation in agreeing that having regard to the simultaneous amendments introduced in the Industrial Disputes Act, 1947 by Act No. 36 of 1964—the deletion of S. 2 (eee) and the substitution of the present S. 25-B for the original section—it is no longer necessary for a workman to show that he has been in employment during a preceding period of twelve calendar months in order to qualify within the terms of S. 25-B. It is sufficient for the purposes of S. 25-B(2) (a) (ii) that he has actually worked for not less than 240 days during the preceding period of 12 calendar months. The law declared by this Court in *Sur Enamel and Stamping Works (P) Ltd. v. Their Workmen* (1964) 3 SCR 616 at pp. 622-623 (AIR 1963 SC 1914) does not apply to situations governed by the subsequently substituted Section 25-B of the Act."

I may observe here that copy of this case law provided to me on behalf of the workman leaves out the following words from the judgment :—

"during the preceding period of 12 calendar months." Necessary enquiry and action is sought in this regard.

25. Applying these principles we have only to look into the working period of the last preceding year from the date of termination of the workmen concerned from service.

26. Workman M. K. Kathal worked for 211 days from 2-7-1979 to 17-7-1980 with a gap from 12-10-1979 to 12-6-1980 and thereafter, after a gap of more than 5 months for 162 days. If gap from 12-10-1979 to 12-6-1980 is ignored treating it artificial and deliberate than it would be deemed to be a continuous service for more than 240 days preceding to 17-7-1980.

27. So far as the case of H. K. Pande is concerned he was employed in the year 1979 from 1-8-1979 to 12-11-1979 and thereafter from 21-1-1986 to 2-8-1986 with certain gaps. Thus even including the non working days the continuous service would not be 240 days. Thus it cannot be said that Shri Pande had worked for continuous period of 240 days in last preceding year.

28. So far as the case of R. K. Dixit is concerned, he had worked from 1-6-1984 to 12-9-1984 with certain gaps. Thereafter from 5-11-1985 to 31-12-1985 with long gaps and thereafter from 6-1-1986 to 6-5-1986 with various gaps given therein. He is also said to have worked from 9-4-1984 to 30-4-1984 and 1-5-1986 to 30-6-1986, for the whole of December, 1986 and March to August, 1986. In his case also the gaps are so long that they cannot be deemed to be continuous one for 240 days in last preceding year.

29. So are the cases of Chaturbhuj Bisen and Ajay Kumar Sahu who did not complete 240 days of continuous service preceding one year from any of the last days of break.

30. But in the whole spectrum of the case it becomes very pertinent that the posts were available for all the time which follows that breaks in service were made in such a way as to avoid the attraction of the provisions of S. 25-B of the I. D. Act. It would certainly come within the meaning of unfair labour practice and this fact is further established from the arguments advanced on behalf of the management as reproduced by me in para 15 of my award.

31. M. K. Kathal was a Messenger. H. K. Pande was also a Messenger. R. K. Dixit was Water Boy-cum-Canteen Boy-cum-Messenger, Chaturbhuj Bisen was a Messenger and Ajay Kumar Sahu was also a Messenger. What particular specialised knowledge these posts require and why they were not appointed in the regular cadre despite their pretty long services and the plea taken was that they were not found fit in the interview and therefore they were not appointed leaves a question mark to the bonafides of the management and regular enquiry is called for by the superior authority in the matter as to under what circumstances they were interviewed and they were not selected.

32 I have already pointed out that in the particular circumstances of this case the violation of the provisions of S. 25-H on the flimsy ground that they were not found fit in interview cannot be justified. I may also repeat at this stage that in para 5 of the statement of the workmen pleading is to the effect that the fresh hands were appointed in place of these workmen and employed from time to time. This pleading has not been challenged by the management in their written statement. Thus their retrenchment cannot be said to be bonafide because the posts were available all the time during which these workmen were employed from time to time. It is for this reason that I can say that all these breaks were deliberate and artificial keeping in mind the observations made by Lord Wilberforce and not only there was violation of Section 25-B of the I. D. Act but also S. 25-H of the I. D. Act. Every case has to be appreciated in its own circumstance within the framework of law and for the reasons given above it cannot be said that the termination of services of these workmen was justified. Even otherwise also these Tribunal are competent to create contract. The workmen are therefore entitled to reinstatements on their respective posts from their respective dates of termination. They shall be deemed to be in continuous service from that date onwards. But in the particular circumstances of this case I will not award back wages but they will be entitled to the benefits arising out of the continuous service from the date of termination of service and they will be placed above those persons who are employed on these posts after their termination from service in seniority. The workmen shall also be entitled to compensation amounting to Rs. 5000 each.

Reference is answered accordingly.

V. N. SHUKLA, Presiding Officer.

[No. L-12012/31/87/D. II (A)/D. IV (A)]

नई दिल्ली, 28 फरवरी, 1991

का.आ. 855.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विनियामक स्टेट बैंक लि. कानपुर के प्रबन्धन के संलग्न नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28 फरवरी, 1991 को प्राप्त हुआ था।

New Delhi, the 28th February, 1991

S.O. 855.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of The Banaras State Bank Ltd., Kanpur and their workmen, which was received by the Central Government on 28-2-91.

ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

Industrial Dispute No. 33 of 1987

In the matter of dispute between :

Shri Harmangal Prasad,
State General Secretary,
O. P. Bank Employees Union,
36/1, Kailash Mandir,
Kanpur.

AND

The Manager,
The Banaras State Bank Limited,
Birhana Road,
Kanpur.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/52/86-D.IV(A), dated 20-3-87, has referred the following dispute for adjudication to this Tribunal:—

Whether the action of the management of Benaras State Bank Limited in denying duties of Telex Operator and allowance to Shri L. N. Sharma, Senior Most clerk-cum-typist at Birhana Road Branch, Kanpur w.e.f. November, 1985, is fair and justified? If not, to what relief the workman concerned is entitled?

2. The industrial dispute on behalf of workman Shri L. N. Sharma has been raised by the State General Secretary, U. P. Bank Employees Union (hereinafter referred to as Union).

3. The case of the Union is that under the promotion policy Settlement as well as Sastri Award, promotional as well as special allowance posts are given to the senior most clerk. Special allowances are paid to the senior most employee on city seniority basis. Although the workman was senior most, the bank denied to him the special allowance of Telex Operator. In his place, the bank granted special allowance of Telex Operator to Shri Jasbir Singh, a junior typist against the said provisions in an arbitrary and illegal manner. The Union has therefore prayed that the management of the bank be directed to pay the special allowance of the telex operator at the rate of Rs. 126 per month to the workman w.e.f. 1-11-85 in terms of Bipartite Settlements.

4. In defence the management plead that the workman has been serving in the capacity of clerk-cum-typist, in the bank's branch at Kanpur, since 6-1-70. After his appointment the workman made a representation for change of his designation from clerk-cum-typist to clerk-cum-godown keeper. However, he was advised by the management that his designation could not be changed. Despite that the workman pleaded for change of his designation on the ground that such typing work in bank's branch at Kanpur was being attended by the other typists and so he had a desire to learn the job of a Godown Keeper. In the beginning the telex machine was installed at Kanpur Branch and Telex Operating work was assigned to Shri Jasbir Singh. Typist as the workman was keen, as said above, to learn the job of godown keeper instead of typing. According to the management, the workman never objected or raised any dispute regarding assigning the work of telex machine to Shri Jasbir Singh. After some time, the telex machine was reinstalled at Kanpur Branch. Had it been not removed Shri Jasbir Singh would have continued performing the duty of telex operator. Subsequently when telex machine was reinstalled at Kanpur Branch on the basis of past experience, the management deputed Shri Jasbir Singh for operating Telex Machine. Telex Machine being a delicate instrument it was not considered desirable to allow its handling by a raw person like the workman. Hence, the action of the management in not giving telex operation work to the workman was fully justified.

4. Since Shri Jasbir Singh was going to be affected by the reference order, he was also impleaded by the Union. The application of the Union in this regard was allowed on 2-1-89.

5. In reply Shri Jasbir Singh has contended that by means of letter dt. 4-2-78 the Chief Accountant of the Bank at Varanasi informed the management, Kanpur Branch that the Telex Machine would be operated by Shri Jasbir Singh and that he would be paid special allowance from the date he started operating the said machine. Annexure B to his reply is the copy of the said letter. Thereafter, by means of letter dt. 6-2-78, the General Manager of the Bank at Varanasi informed the Birhana Road Branch of the Bank at Kanpur that Shri Jasbir Singh would be paid a special allowance besides D.A. thereon w.e.f. the date he started working as Telex Operator. Annexure A to his reply is the copy of said letter. Thereafter by means of letter dt. 10-2-78 copy Annexure C-I the manager of the Bank at Kanpur informed him that he would operate the telex machine and would be paid special allowance from the date he took over charge of the said machine. Subsequently by means of letter dt. 14-2-79, copy Annexure C-II, the Regional Manager, Central Region of the bank accorded permission for payment of arrears of

telex operator allowance to him. Shri Jasbir Singh further contends that on reinstallation of the telex machine at Birhana Road, Kanpur Branch of the Bank considering to his past experience, Head Office again, by means of office letter dated 21-10-85 copy Annexure D sanctioned him telex operator allowance at the rate of Rs. 126 per month. According to him he is the only candidate having single designation of typist at the said branch while others working in the said branch have a composite designation. They are not doing the typing job.

6. In its rejoinder, the Union admits that the workman was appointed as clerk-cum-typist on 6-1-70 and that his designation was not changed even after his representation. He continued to be designated as clerk-cum-typist. According to the Union since the bank did not allow, the workman concerned to work as a godown keeper and did not change his designation, the bank cannot deprive him of his posting as telex operator on the basis of seniority. The workman never refused the job of telex operator. The workman was a typist just like Shri Jasbir Singh who was appointed to handle the telex machine. No other new fact has been alleged by the Union.

7. In support of its case, the Union examined the workman, and filed some documents. On the other hand, Shri Jasbir Singh examined himself and the management tendered in evidence the affidavit of Shri Bhai Rao Mishra, Accountant. There was no cross-examination of Shri Jasbir Singh and the management witness by the Union.

8. On 29-9-89, cross examination of the workman was completed. On 20-2-90, Shri Sekhari who had filed his authority on behalf of the Union withdrew his authority. Thereafter, despite issue of notices to the workman and the Union, neither the Union nor the workman appeared.

9. In his cross-examination, the workman has admitted that for the first time, the telex machine was installed at Kanpur Branch of the Bank in 1972 and it continued functioning for about a year or year and half. Second time it was installed in August, 1987. This statement appears to have been given by him under misconception. From the pleadings of the parties it is evident that it was installed again some time in October, 1985. In the reference order the workman has been described as Sr. most clerk-cum-typist at Birhana Road Branch in November, 1985. In the claim statement the workman has even described himself as senior most clerk-cum-typist at the said branch. But this does not seem, to be true as will appear from some of the statements made by the workman in his cross examination. He admits that on 5-10-85, he was posted as clerk-cum-typist at Birhana Road Branch of the bank and at that time S/Shri G. N. Goenka and S. K. Tewari were also posted in that very branch as clerks-cum-typists. He admits that both these persons were senior to him. If these two persons were senior to him, I fail to understand how he as well as Union claim that he was the senior most clerk-cum-typist at that time in the said branch. There is no evidence that these two persons had given up their claim with regard to assigning of the job of telex operators. Hence he has no claim in this regard.

10. There are other circumstances also which go against the case set up by the Union in support of the workman. To a specific question, the workman in his cross examination has admitted that whereas at the said branch Shri Jasbir Singh is posted as typist since 5-10-85, others including him are posted as clerk-cum-typist.

11. The workman has also stated in his cross examination that he joined the bank's service in 1969 as clerk-cum-typist. He also admits that he gave up in writing to the bank that since from the beginning he had been working as a clerk, he should be given the job of clerk only. A similar request was made by him in writing to the management on 21-9-73. In September, 1975, he wrote to the bank that since he had been doing the work of a clerk from the very beginning, if the bank could not make him clerk, he should be posted as Godown Keeper in order that he should be able to learn the job of Godown Keeper.

12. Thus his conduct speaks that never during his service period he was interested in the job of typing. It was only when the Telex Machine was subsequently installed he felt attracted towards the job on account of heavy amount of special allowance.

13. In para 10 of his affidavit Shri Jasbir Singh has deposed that the workman by means of his representation dated 8-4-71, 17-4-71, 4-8-71 and 7-9-71 with subsequent reminders always represented to the bank's management for change of his designation clearly stating that he was not performing the job of typing nor was he interested in the designation as typist. On that the Branch Manager, Kanpur, vide his letter dt. 21-9-73, on the representation of the workman strongly recommended for change of designation of the workman, stating that the workman was not doing typing job since 1970, and was not interested in the designation of typist. In para 11 he has deposed that the workman was not the senior most in the city seniority. He and others designated like him were not at all doing the job of typing for the last several years and they never showed their inclination for telex allowance which is linked with typing job.

14. In para 5 of his affidavit the management witness has deposed that Telex Machine was installed at Bank's Branch, Kanpur for the first time in February, 1978 and it continued till June 1979 when it was withdrawn. Second time it was installed in October 1985 and it was again removed from February 1988. On both the occasions Shri Jasbir Singh who had been purely working as a typist operated the Telex Machine and was given the telex allowance.

15. Thus it will be seen from the above evidence and circumstances, that the workman was not the senior most at the branch when the telex machine was installed second time and that he never did typing work despite his designation as clerk-cum-typist. The management appointed Shri Jasbir Singh as Telex Operator on the basis of his past experience. Therefore, I do not find that the management acted unreasonably or in an improper manner.

16. Accordingly, it is held that the action of the management in denying duties of the Telex Operator and allowance to Shri L. N. Sharma w.e.f. November 1985, is fair and justified. Consequently, the workman/Union is held entitled to no relief.

17. Reference is answered accordingly.

ARIAN DEV, Presiding Officer
[No. L-12012/52/86-DIV(A)]

का. आ. 856 -- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, प्रमुख में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय कानपुर के पक्षों को प्रकाशित करती है, जो केन्द्रीय सरकार को 28/2/81 को प्राप्त हुआ था।

S.O. 856.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State-Bank of India and their workmen, which was received by the Central Government on the 28-2-91.

ANNEXURE

BEFORE SHRI ARIAN DEV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 46 of 1989

In the matter of dispute between:

Shri Jai Govind Tiwari
C/o Shri V. N. Sekhari
26/104 Birhana Road
Kanpur

AND

The Chief Regional Manager
State Bank of India
Regional Office
M. G. Marg Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/31/88-D-3(A) dated 30th December, 1988, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of State Bank of India, Gola Gokaran Nath Dist. Lakhimpur Kheri in dismissing Sh. Jai Govind Tiwari, Ex-Guard w.e.f. 1-6-84 is legal & justified? If not, to what relief the workman is entitled?

2. The admitted facts are that the workman Shri Jai Govind Tiwari, was served with chargesheet dt. 20-2-1982, copy Ext. M-3. The chargesheet is in Hindi. However, while dealing with the inquiry report of the E.O., the Disciplinary Authority translated the charges into English in his order dated 14-6-83, copy Ext. M-10. The charges as translated in English read as under :—

- (i) Two persons, S/Shri Chandra Shekhar and Rajiv Sharma had tendered to Shri Tewari Rs. 200 and Rs. 100 on 19-4-80 and 22-4-80, respectively, for being exchanged into Rs. 1 denomination notes. However, the charged employee neither arranged for exchanging the notes nor refunded the amounts tendered to him, thereby misappropriating the amounts.
- (ii) On 7-5-80, one Shri Rama Nand Tripathi tendered to Shri Tewari a sum of Rs. 100 for being remitted to the former native place by Postal Money Order. However, Shri Tewari neither remitted the amount nor returned it to Shri Tripathi, thereby misappropriating the amount.
- (iii) On 28-8-80, one Smt. Maikni Devi tendered to Shri Tewari a sum of Rs. 350 for deposit in her Savings Bank Account maintained at the Branch. However, the charged employee neither deposited the amount in the account nor refunded it to the account holder.
- (iv) Shri Tewari marked his attendance for 1-9-80 and 2-9-80 in the Attendance Register in advance. Further, on 31-8-80 and 3-9-80 he had availed of weekly off and on 1-10-80, 3-11-80, and 8-2-81, he was unauthorisedly absent. Yet he subsequently marked his attendance for all the aforesaid dates.
- (v) The employee was relieved on 27-4-81 for attending a training programme at Kanpur w.e.f. 28-4-81. However, he reported there only on 29-4-81 and absconded with the Bank's gun and five cartridges from the evening of 29-4-81 without prior information to the Circle Security Officer. He also resumed duty at the Branch on 5-5-81 without having been relieved by the Circle Security Officer.
- (vi) On 26-9-81, Shri Tewari misbehaved with Shri M. L. Biyari, Manager (Finance), Hindustan Sugar Mills Ltd. in a drunken condition at the latter's residence.
- (vii) Shri Tewari was in the habit of disobeying the instructions of his superiors as evidenced by nonreply by him of various Memos, served on him.

The inquiry into the said charges was held by Shri R. Chandra an Officer of the Bank. He gave his findings on 5-1-83 Ext. M-9 is the copy of his findings. He held the charges nos 3, 4, 5 and 7 only as proved. From the inquiry proceedings, copy Ext. M-8, it appears that charge no. 6 was not pressed at the inquiry by the bank's representative. It was therefore treated as withdrawn. Regional Manager I, who happened to be the Disciplinary Authority, by means of his order dt. 14-6-83, copy ext M-10, agreed with the findings given by the F.O. By means of his said order he imposed the punishment of dismissal from service upon the workman. Accordingly a show cause notice was issued by the Disciplinary Authority to the workman on 16-6-83 Ext. M-11. Is the copy of the said letter

to show cause. Against the show cause notice, the workman made a representation, copy Ext. M-12. After considering the representation, made by the workman against the show cause notice issued to him, the Disciplinary Authority passed final order on 1-6-84, copy Ext. M-13. By means of his said order he confirmed the proposed punishment of workman's dismissal from service without notice. However, as regard charge no. 5 after considering the submissions made by the workman in his representation, he held that the said charge stood proved only to the extent that the workman reported at the training camp at Kanpur one day late. Against the order of punishment passed by the Disciplinary Authority, the workman preferred an appeal, copy Ext. M-15. This appeal was dismissed by the Chief Regional Manager, Appellate Authority by means of his order dt. 15-10-84, copy ext. M-16.

3. The workman's case is that he was appointed as Guard in the bank in 1971, and was confirmed on the said post in 1973. In March, 1979, he was posted at Bank's Gola-gokaran Nath Branch. Since the Branch Manager, of the said branch was annoyed with him with a view to victimize him he issued him the chargesheet in question. According to the workman, the chargesheet was not issued by the Competent Authority. The construction of the chargesheet was also illegal. The allegations on which he was charged amounted to minor misconduct. He alleges that he was not supplied with the copies of the material documents on which the charges were based. During the inquiry he was not given full opportunity to defend himself. The findings of the inquiry officer which were later on accepted by the Disciplinary Authority and Appellate Authority were perverse as they were not based on material on record and legal evidence. He further alleges that the punishment of dismissal from service awarded to him was highly disproportionate and excessive when looked into the gravity of the charges. He has, therefore, prayed that the order of punishment dt. 1-6-84, which was subsequently confirmed by the Appellate Authority be set aside and he be reinstated in service with full back wages and all consequential benefits.

4. The management while contesting the case plead that the workman joined the service of the bank as Guard on 29-7-73 and he was confirmed on the said post w.e.f. 4-3-74. The management admit that while he was posted at Bank's Branch Gola Gokaran Nath, he was served with chargesheet dt. 20-2-82. According to the management the chargesheet dt. 20-2-82 was valid and it was signed by the Competent Authority i.e. the Regional Manager. The charges were specific. While admitting the fact that copies of materials and documents relied upon by the management were not provided to the workman alongwith the chargesheet, the management plead that they were however, produced during the course of inquiry proceedings and they were perused by the concerned parties. The management deny that the charges levelled against the workman amounted to minor misconducts. According to the management the inquiry was held in accordance with the principles of natural justice. The workman participated in the inquiry proceedings all along. The management deny that the findings given by the E.O. were not based on legal evidence. The findings of the E.O. and orders passed by the Disciplinary Authority and Appellate Authority were based on evidence on record.

5. The workman has filed rejoinder in the case, but in it no new fact has been alleged by him.

6. In support of his case, the workman has examined himself and in support of their case, the management have examined Shri P. K. Jain, an officer of the Bank and have relied upon documentary evidence.

7. During the course of his arguments it has been contended by Shri Tewari, the authorised representative for the workman, that the inquiry was not conducted fairly and properly in accordance with the principles of natural justice by the E.O. inasmuch as copies of documents relied upon by the management in support of the charges were not furnished by the management to the workman at the time of service of chargesheet. He has not challenged the inquiry proceedings on any other ground. In the alternative he has submitted that in case, the tribunal finds that the inquiry was conducted fairly and properly, then in that event his submissions will be that findings given by the E.O. and accepted by the Disciplinary Authority and Appellate Authority

are not based on legal evidence. Lastly, he has argued that looking to the nature of charges said to have been proved against the workman, the punishment inflicted upon the workman is very harsh. The tribunal, should interfere in this regard in exercise of its powers u/s 11-A of the Industrial Disputes Act, 1947, and award such punishment to the workman as it deems just and reasonable.

8. On the other hand, it has been argued by Shri Mahesh Chandra, Advocate, the authorised representative for the management that there is absolutely no force in any of the contention raised by Shri Tewari, during the course of his arguments.

9. There is no denying the fact that with the chargesheet no copy of any document was supplied to the workman. There is also no denying the fact that in the chargesheet it was not stated as to on what documentary evidence and on the statements of what witnesses the management would rely in support of the charges. From the copy of inquiry proceedings, Ext. M-5, it appears that the proceedings of the inquiry were held on 19-8-82, 20-8-82, by the E.O. It was for the first time on 19-8-82 that with regard to charge Nos. 1, 2 and 4, the bank's representative informed the E.O. in the presence of defence representative as to on what documents he would rely in support of the said charges and for the first time on 20-8-82 the bank's representative informed the E.O. as to on what documents he would rely in support of the remaining charges except charge No. 6, which as already said, was withdrawn by him. From the inquiry proceedings as well as from the written statement filed in the case by the management it is evident that the copies of documents on which the bank's representative placed reliance in support of the charges were not supplied to the workman or the defence representative. At page 6 of his order dt. 1-6-84, the disciplinary authority observed that there was no provision for disclosing in advance to the charged employee the evidence which was to be relied upon by the bank, in the departmental proceedings. It seems that it was perhaps in the light of the said observation that cross examination was conducted by Shri Mahesh Chandra, the auth. representative for the management of the workman. On a question put to him, the workman replied that he did not make any application during the inquiring proceedings before the E.O. that in the conduct of the inquiry, irregularities were being committed.

10. The above approach to my mind, is not supported by any Rule of inquiry. It is settled law that before the start of the inquiry, the delinquent employee must know about the evidence which was going to be relied upon. He is also required to inform the employee about the witnesses to be examined at the inquiry in support of the charges. In fact information in this regard should accompany the chargesheet and copies of documents furnished to the delinquent employee. But as is the practice in the banking industry atleast all these things should have been disclosed at the start of the inquiry and copies of documents should have been furnished to the chargesheeted employee. Thereafter, a date should be fixed for the production of evidence i.e. examination of witnesses by the management representative. Between the two dates sufficient time should elapse so that the workman and his representative could study the impact of the evidence to be lead by the management in support of the charges. It is no excuse that the workman or his defence representative did not raise any objection. It is not necessary that in all cases the workman and his defence representative may be conversant with the rules of inquiry. I really wonder at the observation made by the Disciplinary Authority who happened to be a High Ranking Officer of the bank that there was no provision for disclosing in advance to the charged employee the evidence which was to be relied upon by the bank in the departmental proceedings. Here the question is not of existence of any provision but the question is of observance of principles of natural justice. In the absence of disclosure of such evidence in advance or its disclosure at the eleventh hour, the principles of natural justice would be deemed to have been violated. Accordingly it is held that the inquiry was not conducted fairly and properly by the E.O.

11. Now let us assume that the inquiry was conducted fairly and properly by the management in accordance with the principles of natural justice. The question is whether the

findings given by the E.O. and sustained by the Disciplinary Authority and the Appellate Authority can be said as based on evidence or not. As already said only charge Nos. 3, 4, 5 and 7 are said to have been proved against the workman. Let us consider the findings in respect of each of these charges.

12. Charge No. 3 :

With regard to this charge, there is no dispute about the fact that Rs. 350 given by Smt. Majkni Devi for deposit in her account were not deposited by the workman in her account and were paid back by him to Smt. Maikni Devi after 10 or 15 days. There is further no dispute about the fact that she had made a complaint in this regard to the branch manager. In her cross examination she admitted that she had tendered money to the workman when she was in a perturbed state of mind on account of death of her younger daughter aged about 20 years. She said that she had put her thumb impression on the complaint, when a query in this regard was made by the branch manager. She also said that she had no complaint against the workman.

13. The authorised representative for the workman has submitted that the copy of the complaint has not been filed by management in order to ascertain as to at what place the money had been given by her to the workman. It was a private affair between the complainant and the workman. She would not have given the money to the workman unless the workman had been known to her. There could be sufficient grounds for non-deposit of the amount given by her to the workman. The proper course for the Branch Manager in the circumstances would have been to have called the workman and inquire about it from him as to why he had not deposited the money given to him by the complainant.

14. On the other hand, it has been contended by Shri Chandra, that it is immaterial that subsequently the workman returned the money to the complainant. By not depositing the amount, he tarnished the image of the bank and thus did an act prejudicial to the interest of the bank within the meaning of para 19.5(j) of the First Bipartite Settlement.

15. After hearing the two sides and considering the materials on record I find the charge as not proved. It appears that the complainant has now no complaint against the workman after the return of money to her. From the order dt. 1-5-84 of the Disciplinary Authority, it appears that the money had been given by her to the workman on 28th August, 1980 and the complaint was made by her on 2nd September, 1980. Had the complainant given the money for deposit to the workman in the bank premises and had he failed to deposit the same he would have surely come within the parametre of gross misconduct as defined in para 19.5(j) of the First Bipartite Settlement. But there was no such evidence from the side of the management. If a person gives some money to a person known to him for deposit in his bank account at some place outside the bank's premises and if the money so given was not deposited by the person to whom the same was given that would not constitute any misconduct for the sake of punishment by the Disciplinary Authority of the bank's where such a person is working. The normal reaction of the person giving the money in such cases on finding that the money has not been deposited will be to inquire from that person as to why he had not deposited the same. If he gives satisfactory explanation for non-deposit and returns the money, the matter ends there. I am really surprised how the branch manager became so much interested as to obtain a complaint from Smt. Maikni Devi against the workman. It would have been proper if he had called the workman and inquired about it and settled the matter then and there. While appreciating the evidence with regard to this charge one should not lose sight of the fact that the complainant is an illiterate lady. Therefore, to my mind, this charge does not stand proved in the circumstances stated above specially when the complainant rests satisfied and has no complaint against the workman.

16. Charge No. 4 :

On this charge the management simply placed reliance on the attendance register without examining the branch manager or any other witness. I fail to understand how in the absence of any witness, noticing/markings in the attendance register could have been relied upon. The management ought

to have examined the branch manager who had done it and who was said to have noted the things referred to in the charge. I may state here that in his statement before the E.O. it was stated by the workman that he marked his attendance after coming on duty and that he marked his attendance in the attendance register correctly. The allegations to the contrary were incorrect. Thus there was no rebuttal of the facts stated against him in this charge. In his order dt. 14-6-83, the disciplinary authority has referred to the fact that the branch manager vide his memo dt. 3-9-80 called for his explanation but no reply was submitted by him. For drawing this inference what was necessary was that this memo should have been brought to the notice of workman while he was in the witness box and it should have been inquired from him whether the reply of the said memo was given by him or not. In the absence of any evidence from the management's side on this count it was not possible to draw such an inference. Therefore, to my mind there was no evidence from the side of the management to prove this charge. The attendance register or the memo was not sufficient to prove the charge. The branch manager or some other officer who had noted the facts in their attendance register should have been called forward and deposed in the witness box that he did find such lapses on the part of the workman.

Charge No. 5 :

17. So far as this charge is concerned, I agree with the findings given by the disciplinary authority that it stands proved to the extent that the workman had reported at the training camp at Kanpur one day late and that he had no satisfactory explanation for that.

Charge No. 7 :

18. In support of this charge the management relied upon some memos served on the workman which according to the management were not replied by the workman. There is no evidence of any witness from the side of the management that the memos were not replied by the workman. The memos are said to be dated 24-4-80, 7-8-80, 3-9-80 and 30-9-80. In the witness box the workman has denied the fact that he had not replied these memos. According to him he had duly replied these memos but no acknowledgement regarding receipt of reply submitted by him was ever given by the branch manager. There is nothing abnormal in the statement of the workman. It is often seen that explanations are received without any acknowledgement regarding their receipts. There should have been some body from the side of the management to say that no replies were given to the memos served on the workman. In the absence of any evidence from the side of the management, in view of the denial made by the workman charge cannot be held as proved.

19. Thus the only charge which stands proved against the workman is that he reported at training camp Kanpur 1 day late.

20. I must observe that the E.O. and the Presenting Officer are not trained in the matter of conducting departmental inquiry. The Disciplinary Authority should have also noted the lapses on the part of these two officers while considering the report of the Enquiry Officer. He should have better remanded the case for further inquiry with his own observation about the lapses so that truth about the charges could have come out and there would not have arisen any occasion to say that the inquiry was not conducted fairly and properly. It is not a fit case where a proper opportunity should be given to the management to lead additional evidence to prove the charges against the workman. The management cannot be allowed to fill up the lacunae in their evidence. As earlier stated the case has been argued by Shri Tewari, auth. representative for the workman even in the alternative. The charge has been proved against the workman does not call for a severe punishment of dismissal from service without notice. It will meet the ends of justice if the workman is awarded the punishment of stoppage of one annual graded increment with cumulative effect, (the increment which fell due in 1984).

21. Held that the action of the management of State Bank of India in relation to its Gola Gokaran Nath Branch in dismissing the workman w.e.f. 1-6-84 is not justified. The

punishment awarded is substituted by the punishment of stoppage of one annual graded increment with cumulative effect (increment which fell due in 1984). He is reinstated in service with full back wages and all consequential benefits.

22. Reference is answered accordingly.

ARJAN DEV, Presiding Officer
[No. L-12012/31/88-D.III (A)]

का.प्र. 857—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बनारस स्टेट बैंक लि. अग्रा के प्रबंधन के संबंध निराकरण और उनके कर्मचारों की बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय कानपुर के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार की 28-2-91 की प्राप्त हुआ था।

S.O. 857.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-Cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Banaras State Bank Ltd. Agra and their workmen, which was received by the Central Government on the 28-2-1991.

ANNEXURE

Before Shri Arjan Dev Presiding Officer Central Government Industrial Tribunal cum Labour Court, Pandu Nagar, Deoki Palace Road, Kanpur.

Industrial Dispute No. 96 of 1989.

In the matter of dispute between:

The Assistant General Secretary,

U.P. Bank Employees Congress,
2/363 Namneir Agra (U.P.).

AND

The Assistant General Manager,
Benaras State Bank Limited,
D-52/I, Luxa Road, Agra (U.P.).

AWARD

1. The Central Government Ministry of Labour vide its notification No. L-12012/26/83-D.IB, dated 20-4-89, has referred the following dispute for adjudication to this Tribunal:—

Whether action of the management of Banaras State Bank Limited, Agra were justified in terminating the service of Shri P. N. Tondon, V. K. Tondon, and Smt. Asha Gupta from June 88 and also not absorbing in permanent Clerical Grade in the Bank. If not what relief the workman entitled to?

2. The industrial dispute on behalf of the three persons named in the reference order has been raised by the Assistant General Secretary, U.P. Bank Employees Congress, Agra. The claim statement, in the instant case, has been filed by these three persons instead of any office bearer of the U.P. Bank Employees Congress (hereinafter referred to as Union for the sake of convenience) Agra.

3. Their case in brief is that Shri P. N. Tondon, V. K. Tondon and Smt. Asha Gupta were appointed as deposit collectors by the bank for its Pawan Market Agra Branch on 6-3-79, 1-1-79 & 27-3-79 respectively. Subsequently, from June 1979, the management of the bank issued instruction to them to collect money beyond bank's working hours and on holidays and perform clerical duties in the said branch during the bank's hours. Accordingly since then till the termination of their services they had been doing the clerical job during bank's working hours and collecting money under the Laghu Bachat Yojna (thereafter referred to as LBYP for the sake of brevity). For doing

clerical duties the management always held on the assurance to them that they would be paid salary but the said assurance was never honoured by the management of the bank. Rather when they raised the dispute before the Assistant Labour Commissioner (Central) Lucknow, during the pendency of the conciliation proceedings the management of the bank in 1988, abruptly terminated their services illegally. It is also alleged by them that the management of the bank appointed a large number of junior temporary employees without giving them any chance. They have therefore prayed that the action of the management in terminating their services be declared illegal, that the management be directed to pay them the usual salary for the clerical work done by them; and that the management be directed to reinstate them in regular service of the bank with retrospective effect.

4. In defence the management pleaded that these three persons were engaged as Deposit Collectors under LBYP on Commission basis and all along they had worked as such. The management bank deny that any instructions were ever given to them to perform clerical duties during bank's working hours. According to the management they never performed the duties of a clerk as alleged by them. For the collections made by them as Deposit Collectors they had been paid commission as per terms and conditions. The management further pleaded that there had never been the relationship of Master and Servant between Bank and these persons. In fact they are not workmen within the meaning of the provisions of the I.D. Act. Lastly, it is pleaded that the industrial dispute having been raised by the Union these three persons have no locus standi to appear as parties to the case or sign pleadings. The claim statement filed by them has not been signed and verified by any authorised office bearer of the said Union.

5. The rejoinder in this case was filed by Shri V. K. Gupta as Assistant General Secretary. No where he has described himself as Assistant General Secretary of the Union which has raised the dispute. Admittedly, Shri V. K. Gupta is an employee of the State Bank of India, Agra. In the rejoinder it is pleaded that these three persons are workmen within the definition of the term workman as given in I.D. Act, 1947. It further alleged that there is nothing wrong if the claim statement bears the signatures of these three persons.

6. In support of their case the three persons have examined themselves and have filed some documents. On the other hand, in support of their case, the management have examined Shri M. C. Agarwal an accountant with annexure of the bank at Agra, and have filed some documents.

7. From the statement of Smt. Asha Gupta, V. K. Tondon and Shri P. N. Tondon, it becomes evident that the claim statement bears their signatures and that it is not signed by any office bearer of the Union. It further comes out from the statement that they were simply issued appointment letters as Deposit Collectors and that they were never issued any appointment letter of clerk.

8. Ex. W2 and W3 are the letters of offer dt. 6-3-79 and 30-12-75 issued by the bank to Shri P. N. Tondon and Shri V. K. Tondon. Smt. Asha Gupta has not filed this letter of offer made to her. From Ex. M1, M2 and M3 it appears that all the three of them accepted the offer to work as Deposit Collector under the Laghu Bachat Yojana.

9. In her cross examination Smt. Asha Gupta has deposed that her working hours had been from 11.00 A.M. to 5.30 p.m. During the said period she did clerical work and after 5.30 p.m. she used to do the work of deposit collector. Shri P. N. Tondon in his cross examination states that his working hours had been from 10 A.M. to 5.30 P.M. but at the same time he says that there were no fixed hours of working for the deposit collectors. He did the work of deposit collector before and after the said working hours. Shri V. K. Tondon in his cross examination has also deposed in the same way in which Shri P. N. Tondon has deposed. Then it was specifically inquired whether his hours of working were fixed he replied that there were instructions that they should remain in the bank from 10.30 A.M. to 5.30 A.M.

10. Reliance has also been placed on the inspection report dt. 15-7-88 of ALC(C) Lucknow, photostat copy of which has been filed by all the three of them with their affidavits. It shows that Smt. Asha Gupta made entries in ledger nos. 13 and 17 (total 17 ledgers), Shri P. N. Tondon had made entries in 12 ledgers, ledger nos. 8-A to 8-J and Shri V. K. Tondon had made entries in 10 ledgers, ledger nos. 1, 1-A 2, 3(A), 3(B), to 7. It further appears that they had also prepared FDRs and had some times worked at Current Account and had some times made debit entries in Pass Books.

11. The report of ALC(C) Lucknow, is an ambiguous one. It does not reveal as to of what years these ledgers were, when they had prepared FDRs and during what periods they had worked at current account and had made entries of debts in Pass Books. Further it is silent on the point whether the work done on each date by them was sufficient to engage them for the whole of the day or only for a short while. There is also no orders to the effect that they had done all this under any orders of the competent authority.

12. Reliance has also been placed by Shri V. K. Gupta, the authorised representative appearing in this case on document No. Ext. W1 which is the copy of office order dated 28-9-84 issued by the manager. The document has been admitted by the management's authorised representative and also by the management witness Shri M. C. Agrawal. The relevant portion of the order is that all the LBV Agents would tally the balance of their ledgers and get them tallied. It simply shows that the office order had been with regard to entries regarding deposit in LBV and not in any other Head.

13. Thus the documentary evidence to my mind does not give the effect that as deposit collectors they had been doing full time clerical job during office (bank's) working hours. There are also circumstances which belie the claim of these three persons in this regard. Although according to them they have been working as such since June, 1979, it is admitted to them that till the termination of their services in June 1988, they did not receive any salary despite assurances to that effect alleged to have been given by the management to them. They simply got commission at the rate of 3 per cent and after 1981 or 1982 at the rate of 3-1/2 per cent over the deposit. Not only that it stands proved from their statement in cross examination that they ever got the benefits of service as are available to regular employees. Their attendance was never marked in the attendance register. Smt. Asha Gupta has deposed in para 4 of her statement in cross examination that she never got bonus leave, medical leave, medical reimbursement, benefit of P.F. etc. like regular employees of the bank. To the same effect are almost the statements of Sri V. K. Tondon and Sri P. N. Tondon. Shri V. K. Tondon has deposed at page 3 of his statement in cross examination that in 1984 or 1985, written representation was made to the management for payment of salary of regular employee but he admits that copy of any such representation has not been filed in the case. He also says that he is in possession of any such copy. I am not prepared to believe that only on the basis of commission payable to them as deposit collector they would have for so long time worked as clerks during bank's office hours. What ever little work they did, it seems to me, was done by them with the connivance of the member of staff.

14. It appears that by setting up such a case they are trying to seek back door entry. Such a back door entry is not admissible in view of Article 14 of the Constitution of India which lays down that the State shall not deny to any person equality before the law or the equal protection of laws within the territory of India. The recruitment to clerical cadre is done by BSRB on the basis of vacancies notified by the various bank's to Banking Service Recruitment Board.

15. In para 17 of my award in Industrial Dispute No. 19/86 dated 29-7-89 I observed as follows :—

Para 17 of I.D. No. 19/86

The fifth and sixth Awards are of my learned predecessor Shri R. B. Srivastava, one in I.D. Case No. 215/84 and the other in I.D. No. 33 of 1984. In the second case the case of deposit collector was considered. In para 24 of the award it was held by my learned predecessor that taking over all picture of the work performed by the applicant, simply because he made certain entries in the bank ledger would not make him the whole time bank employee but he would remain as agent and his services were rightly terminated under the terms of the agreement.

Again in para 30 of the same award I observed as follows:—

Thus from the above discussions of facts circumstances and law, I find that Home Deposit Collectors referred to in the reference made by the Central Government, Ministry of Labour, New Delhi are not workmen within the meaning of sec. 2(s) I.D. Act. If the contention of Shri Dhawan, the authorised representative for the workmen, is accepted then the Agents employed by Life Insurance Corporation of India, and Agents employed by the Directorate of National Savings Certificate, to promote the sales of NSC would also claim to be the employees of their respective employers and consequently lay claim to bonus under the Payment of Bonus Act. Further it will open a Back Door entry for service in the Clerical Cadre even though the Home Deposit Collectors might not be fulfilling the basic requirements as to age, educational qualification etc., which cannot be the intention of any statute.

Again in para 21 of my award dated 30-8-88 in I.D. No. 116/87 I observed as follows :—

It is important to note that with the inception of Banking Service Recruitment Board, all recruitment in Public Sector Banks in clerical cadre are to be made through Banking Service Recruitment Board for which written test and interview are held. So far as Home Deposit Collectors are concerned no such test or interview appears to have been prescribed. Even no age limit seems to have been prescribed nor any special educational qualification for appointment as such. The basis for selection seems to be integrity, honesty and local influence in the locality in which they are to perform their job. Further they should be possessing only such qualifications as are sufficient for working and making entries in the deposit cards and for sub-missions of accounts with regard to collections made by them in the bank to which they are attached. One cannot circumvent the rules of recruitment to clerical cadre. Any appointment made contrary to special rules of the recruitment to the clerical cadre will be invalid and illegal. The whole structure will be demolished if back door entries are permitted i.e. to say if without compliance of the procedure laid down for recruitment a Home Deposit Collector is allowed entry to clerical cadre.

The cases of Mini Deposit Collectors/Home Deposit Collectors were considered in the above two noted I.D. Cases and also in I.D. No. 115/87 and after examining the facts and circumstances the law on the point and the views of various Central Government Industrial Tribunals cum Labour Courts, it was held by me that they are not workmen within the meaning of Sec. 2(s) of the I.D. Act, 1947.

16. In support of his point that they are workmen Shri V. K. Gupta has placed reliance on the award dated 1-6-82 given by T. Sudarshan Denial, Presiding Officer Central Government Industrial Tribunal, Madras, in I.D. No. 16/80, between the Management of Indian Bank Madras and their workmen represented by the All Kerala Bank's Deposit Collectors Association Calicut. Shri Denial found the Tinny Deposit Agent Smt. M. Seetha Lakshmi Ammal as a workman within the meaning of Sec. 2(s) I.D. Act, 1947. He set aside the order of termination, directed the

management to reemploy her and pay her Rs. 100 per month from 2-5-78 till the date of her reemployment. It appears that the management filed a writ petition no. 8858 of 1982 in the Hon'ble High Court Madras. The Hon'ble High Court agreed with the findings and dismissed the writ petition. On the basis of the decision of the Hon'ble High Court of Madras it has been argued by Shri V. K. Gupta, that three persons involved in the present reference should be treated as workmen within the meaning of section 2(s) of I.D. Act, and after declaring the order of their termination as illegal the management be directed to reemploy them.

17. No doubt there is the judgment of the Hon'ble High Court of Madras supporting the point urged by Shri Gupta but this Tribunal cannot lose sight of the fact that the award given by this Tribunal in I.D. No. 116/87 was upheld by the Hon'ble High Court of Allahabad. In I.D. No. 116/87 the reference which was made by the Central Government, Ministry of Labour was—

Whether the demand of the workman Shri C. B. Tewari for regularisation of his services by the Central Bank of India Nakhas Branch w.e.f. October, 1982 is justified? If so to what relief the workman concerned is entitled?

Shri Tewari's appointment was admittedly as an authorised Collection Agent. As stated by the above it was held by me that he was not a workman within the meaning of section 2(s) of I.D. Act and consequently was held as not entitled to the relief claimed. Shri Tewari filed writ petition No. 7755 of 1989 against the said award but the same was dismissed on 23-8-89 by the Hon'ble High Court of Allahabad. The Judgment was given by Hon'ble Mr. Justice Brijesh Kumar. In view of it the Tribunal cannot go against it.

18. During the course of arguments it was also submitted by Shri U. J. Mehta, the authorised representative for the management that the bank has dropped the Laghu Bachat Yojna Scheme. Shri Gupta, however, says that although it has been dropped so far as the Agra Branch of the Bank is concerned it is still running in other branches of the bank at other places. Whether it is running or not is a question of fact. When it has been dropped at Agra Branch re-employment even if I agree with the submissions of Shri Gupta cannot be ordered. Had these three persons given a good account of themselves and had not indulged such tactics such as creation of evidence for the purposes of getting absorption in clerical cadre, the management perhaps may not have abolished the scheme. The sole purpose of the scheme appears to be to enable students, semi literate persons, and ex-Servicemen means of making some earnings. Even widows could get benefit out of such scheme. If the management had been forced to abolish the scheme at Agra, it is because of folly of these three persons. It may be that they might have fallen a victim to the designs of some Union which might have given them an impression that if they did in accordance with the Union inspection they might get some benefit. If they are to get jobs they must approach the management and feel sorry for their conducts.

19. Accordingly it is held that the action of the Benaras State Bank Limited Agra in terminating the services of these three persons and not absorbing them in permanent clerical grade in the bank is held justified. The result is that the workmen are not entitled to any relief.

20. Reference is answered accordingly.

ARIAN DEV, Presiding Officer
[No. L-12012/26/88-DI(B)]
S. C. SHARMA, Desk Officer

नई दिल्ली, 5 मार्च, 1991

का.आ. 858 -- केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना का. आ. 2564 दिनांक 10 सितम्बर, 1990 द्वारा इंडिया गवर्नमेंट मिन्ट वर्कर्स को उक्त अधिनियम के प्रयोजनों के लिए 21 सितम्बर 1990 से छः मास की कालावधि के लिए लोकउपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उपयोग को उक्त अधिनियम के प्रयोजनों के लिए 21 मार्च 1991 से छः मास की ओर कालावधि के लिए, लोकउपयोगी सेवा घोषित करती है।

[फा. स. एस-11017/3/85-डी-1(ए)]

New Delhi, the 5th March, 1991

S.O. 858.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 2564 dated the 10th September, 1990 the India Government Mint, Bombay to be a public utility service for the purposes of the said Act, for a period of six months from the 21st September, 1990;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 21st March, 1991.

[No. S-11017/3/85-D.I(A)]

का.आ. 859 -- केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (ड) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2565 दिनांक 14 सितम्बर, 1990 द्वारा जिंक खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 14 सितम्बर 1990 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 14 मार्च, 1991 से छः मास की ओर कालावधि के लिए उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/9/85-डी-1(ए) (I)]

S.O. 859.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 2565 dated the 14th September, 1990, the Zinc Mining Industry to be a public utility service for a period of six months from the 14th September, 1990;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the

Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be public utility service for the purpose of the said Act, for a further period of six months from the 14th March, 1991.

[No. S-11017/9/85-D.I(A)(i)]

का. आ. 860--केंद्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम 1917 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंध के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 2566 दिनांक 14 मितम्बर, 1990 द्वारा शीशा खनन उद्योग को उक्त अधिनियम के प्रयोजन के लिए 14 मितम्बर, 1990 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केंद्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः श्रम, औद्योगिक विवाद, अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 14 मार्च, 1991 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/9/85-डी-1(ए) (ii)]

S.O. 860.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 2566 dated the 14th September, 1990, the Lead Mining Industry to be a public utility service for a period of six months, from the 14th September, 1990;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 14th March, 1991.

[No. S-11017/9/85-D.I(A)(ii)]

मुद्रित-पत्र

नई दिल्ली, 6 मार्च, 1991

का.आ. 861--भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1448 जो भारत के राजपत्र के भाग-II, खंड 3, उप खंड (ii) में दिनांक 4 मई, 1990 को पृष्ठ संख्या 1861-1864 पर प्रकाशित हुई थी, के क्रमांक 13, कालम संख्या 2 में "नागपुर क्षेत्र में सभी क्षेत्रीय श्रमायुक्त (के.)" के लिए "नागपुर क्षेत्र में सभी सहायक श्रमायुक्त (के.)" पढ़ा जाय।

[सं.-एस-11013/3/88-आई आर. (पालिसी) (i)]

बी. के. शर्मा, डेस्क अधिकारी

CORRIGENDUM

New Delhi, the 6th March, 1991

S.O. 861.—In the notification of the Government of India, in the Ministry of Labour No. S.O. 1448 published at pages 1861—1864 in the Gazette of India, Part-II, Section 3, sub-section (ii), dated the 4th May, 1990 at Serial No. 13, column No. 2 for "All Regional Labour Commissioners (Central) in Nagpur Region" read "All Assistant Labour Commissioners (Central) in Nagpur Region".

[No. S-11013/3/88-L.R. (Policy)(i)]

V. K. SHARMA, Desk Officer

नई दिल्ली, 5 मार्च, 1991

का.आ. 862--कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार एतद्वारा 16-3-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध मध्य प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :-

नगर पालिका सीमा बिलासपुर के अन्तर्गत आने वाले क्षेत्र एवं राजस्व ग्राम तिफरा, अमेरी, मंगला महम्मद, डेंका एवं सिरिगिटी, संपूर्ण औद्योगिक संस्थान सिरिगिटी सहित तहसील एवं जिला बिलासपुर।

[संख्या-एस-38013/8/91-एम.एस. I.]

New Delhi, the 5th March, 1991

S.O. 862.—In exercise of the powers conferred by sub-section 2 of the Industrial Disputes Act, 1947 (14 of 1947), Act, 1948 (34 of 1947), the Central Government hereby appoints the 16th March, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Madhya Pradesh, namely :-

The area comprising of the Municipal Limits of Bilaspur and revenue villages Tifra, Ameri Mangla, Mahmand, Dhenka and Sirigiti, including complete industrial estate Sirigiti in Tehsil and District Bilaspur.

[No. S-38013/8/91-SS.I]

नई दिल्ली, 8 मार्च, 1991

का. आ. 863 --कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार एतद्वारा 16-3-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :-

"धनजायूर जिले के मन्वुधुराई तालुक में राजस्व ग्राम मनामोडू (क्रम संख्या 4) (मनालमेडू) के अन्तर्गत आने वाले क्षेत्र"।

[सं. एस 38013(10)/91 एस एस 1]

New Delhi, the 8th March, 1991

S.O. 863.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th March, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely :—

"Area comprising the revenue village of Manamedu (Sl. No. 4) (Manalmedu) in Mailaduthurai taluk in Thanjavur District".

[No. S-38013/10/91-SS.I]

नई दिल्ली, 11 मार्च, 1991

का. भा. 864—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा 16-3-91 को उस तारीख के रूप में नियम करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के विषय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के विषय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे) अधीन :—

"जिला तीरुनेलवेली कट्टबोमन के गंकरन कोईल तालुक में राजस्व ग्राम गंकरन कोईल, कलप्पा कुलम, मलायानकुलम, थेरकु संकर कोईल (साउथ) वदक्कपुदुर (नॉर्थ) अट्टारपुरी, छत्तमकोन्दन, चट्टमकुन्दन, पुनोक्कुतु नो-चिकुलम, मनालुर, पोग्गै, पेरुम्पुत्तुर, पेरियुर, सेवकुलम, वडिकोट्टै, विरिपुत्तुर के ग्रामपाल आने वाले क्षेत्र।"

[संख्या एम. 38011/9/91-एस. एम. II]

ए. के. भट्टराय, अवर सचिव

New Delhi, the 11th March, 1991

S.O. 864.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th March, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely :—

"Area comprising the revenue villages of Sankarankoil, Kal Appakulam, Malaiyankulam, Therku, Sankarankoil (South), Vadakkupudur (North), Alagapuri, Chattramkondan, Purnokuttu No-Chikulam, Manalur, Poygai, Perumputtur, Periyur, Sevalkulam, Vadikottai and Virireppu in Sankarankoil Taluk in Tirunelveli Kattabomman district".

[No. S-38011/9/91-SS.I]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 7 मार्च, 1991

का. भा. 865—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पाथरदिह कोलियरी आफ मैसर्स भारत कोकिंग कोल लिमिटेड के प्रबंधन में संबद्ध नियोजित और उनके कर्मचारियों के बीच अनबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-91 को प्राप्त हुआ था।

New Delhi, the 7th March, 1991

dustrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Patherdih colliery of M/s. B.C.C.L., and their workmen, which was received by the Central Government on the 27-2-91

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. S9 of 1984

PARTIES :

Employers in relation to the management of Patherdih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

APPEARANCES :

For the Employers.— Shri R. S. Murthy, Advocate.

For the Workmen.—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 14th February, 1991

AWARD

By Order No. L-20012(18)/81-D.III(A), dated, the 20th November, 1984, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Patherdih Colliery of Messrs Bharat Coking Coal Limited, P.O. Pathedih, District Dhanbad in dismissing from service Shri Sripati Bouri, Line Mistry in July, 1976 was justified ? If not, to what relief is this workman entitled and from what date?"

2. The case of the management of Patherdih Colliery of M/s. B.C.C. Ltd., Dhanbad, as appearing from the written statement, details apart, is as follows :

Sri Awadh Narayan Singh, Munshi-in-Charge of Patherdih Colliery, submitted a complaint to the effect that on 6-5-75 at about 11.30 A.M. when first shift was working, he instructed Sripati Bouri, Line Mistry, deployed at No. 8 Seam Incline New Sudamdih Section of Patherdih Colliery to extend the tram line to Denot No. 8 Seam incline in order to keep the empty tub. But Sripati Bouri refused to obey his reasonable and lawful instructions, abused and assaulted him on the head with a line measuring gauge and as a result he sustained serious injury. On

receipt of the above complaint, the Manager, Patherdih Colliery issued a chargesheet on 20-5-75 to the concerned workman for committing misconduct (a) for wilful insubordination or disobedience to lawful or reasonable order of the superior; (b) for drunkenness, fighting or riotous disorderly or indecent behaviours while on duty at the place of work; (c) for threatening, abusing or assaulting any co-worker and (d) for breach of the Mines Act or any other Act or Rules or Regulations or bye-laws under Clause 17(1), (c), (e), (r) and (q) of the Model Standing Orders applicable for the Coal Mining Industry. The concerned workman submitted his explanation dated 4-6-75 to the chargesheet. The Manager of the colliery considered his explanation to be unsatisfactory and directed a detailed enquiry and appointed Sri B. P. Yadav, Sr. Personnel Officer, as Enquiry Officer. The Enquiry Officer, after due notice to the concerned workman, held the enquiry. The concerned workman participated in the enquiry, the witnesses for the management were examined in his presence and he was given full opportunity to cross-examine them. He was also given opportunity to make statement in support of his defence and to produce witnesses. On the basis of enquiry held, the Enquiry Officer submitted his report holding the concerned workman guilty of the charges levelled against him. The report of the Enquiry Officer was considered by Senior Personnel Officer (IR) of Area XI of M/s. B.C.C. Ltd. and also by the Personnel Manager and General Manager/Chief Mining Engineer of the said Area. Patherdih colliery was a part of Area No. XI of M/s. B.C.C. Ltd. at the relevant time and the General Manager of the Area was also the Chief Mining Engineer of the Area. The General Manager/Chief Mining Engineer ultimately decided that the concerned workman should be dismissed from service, and accordingly, the Agent, Patherdih Colliery issued a letter dated 8/27-7-1976 dismissing the concerned workman from service. The management has asserted that considering the seriousness of the charge proved against the concerned workman the action taken by it in dismissing him from service is fully justified.

3. The case of the sponsoring union, Bihar Colliery Kamgar Union, briefly stated, is as follows :

Sripati Bouri was an active member of Bihar Colliery Kamgar Union. The local management was/is very much biased and prejudiced against the members of the said union. The management with an ulterior motive to victimise the concerned workman hatched up a plan in connivance with the officials of rival union. The management issued a false, frivolous and motivated chargesheet to the concerned workman for assaulting A. N. Singh, commonly known as 'Baba Singh'. On the alleged date of incident A. N. Singh received injury "due to fall while on duty" in the mine and he was immediately admitted to Central Hospital, Dhanbad. He was admitted in the Central Hospital on the alleged date of incident he disclosed before the doctor that he received the injury "due to fall on duty" and this was recorded in his Bed Head Ticket. A. N. Singh is known as money lender and muscle-men and he is known for his muscle

power. The local management was also afraid of him. He was transferred thrice out of Patherdih Colliery, but each time he refused to carry out the order of transfer by showing muscle power and each time the management bowed down by revoking the transfer order. Despite the above facts, the management constituted a departmental enquiry committee at the instance of A. N. Singh. The concerned workman refused to bow down to the pressure of A. N. Singh. In the departmental enquiry the witnesses were not examined in presence of the concerned workman and the Enquiry Officer was totally biased against him. The concerned workman requested the Enquiry Officer to summon S'Shri Shayanil Bouri and Govind Mahato for their evidence in the enquiry. He also requested the Enquiry Officer to call for the records of Patherdih colliery Dispensary and Central Hospital's record concerning A. N. Singh. But the biased Enquiry Officer refused to allow his prayer. The Enquiry Officer held the invalid and irregular enquiry and even then the charges against him were not established and he was dismissed from service by an unauthorised person on the basis of perverse finding of the Enquiry Officer. The union has alleged that Sri A. N. Singh had received full wages for the alleged period as indoor patient of Central Hospital. The concerned workman and his union represented against his illegal and arbitrary dismissal order of the management but to no effect.

4. In rejoinder to the written statement of the sponsoring union, the management has denied each and every allegation made against it and asserted that the domestic enquiry was held fairly and properly. The concerned workman had been working as permanent Line Mistry and he assaulted Awadh Narayan Singh who was admitted in the Central Hospital, Dhanbad and in response to the letter of the Enquiry Officer, the Medical Officer of the Central Hospital, Dhanbad, by letter dated 13-8-75 informed the Enquiry Officer that "the case was seen by Dr. A. K. Sinha. As per his notes in the Case Sheet the patient stated that he was hit by some co-worker and had a fall at about 11.00 hours on 6-5-75". The case against the concerned workman is that A. N. Singh was hit by him and thereafter he had fallen down and became unconscious for some time. The management has further asserted that misconduct of the concerned was of grave nature deserving dismissal from service and that was done by the management.

5. In rejoinder to the written statement of the management, the sponsoring union has denied each and every allegation made against the concerned workman.

6. At the instance of the management the fairness or otherwise of the domestic enquiry was considered as preliminary issue. In order to prove the fairness and propriety of the domestic enquiry the management laid in evidence a sheaf of documents which have been marked Exts. M-1 to M-9/2 and examined the Enquiry Officer, Sri B. P. Yadav as MW-1.

On the other hand, the sponsoring union laid in evidence two items of documents which were marked Exts. W-1 and W-2.

7. Upon consideration of evidence on record, it was held by order dated 25-5-1989 that the domestic enquiry was not held fairly and properly. Thereupon both the parties were allowed to adduce evidence on merits. The management examined three more witnesses, namely, MW-2 L. P. Choubey, MW-3 A. N. Singh and MW-4 Kameshwar Yadav and relied on the documentary evidence already on record. The sponsoring union examined the concerned workman and relied on the documents already admitted in evidence.

8. Admittedly, Sri Pati Bouri, the concerned workman was working as a permanent Line Mistry in Patherdih colliery before he was dismissed from service. The case of the management is that Awadh Narayan Singh was the Munshi In-charge of Patherdih colliery and that both the concerned workman and A. N. Singh was on duty in the first shift of 6-5-75 and that at about 11 A.M. when Sri Singh instructed Sri Pati Bouri, Line Mistry, No. 8 Incline, New Sudamdih Section of Patherdih colliery to extend the tram line on the depot of No. 8 Seam Incline in order to keep the empty tubs, Sri Pati Bouri refused to obey the reasonable and lawful instruction of Munshi-In-charge abused, and assaulted Sri Singh on the head with a line measuring gauge as a result of which Sri Singh sustained serious injury.

It appears that Sri Singh submitted a written complaint to the management over the occurrence on 18-5-75 (Ex. W-1). The complaint was received in the office of the management on 19-5-75 and at once it was decided by the management to issue chargesheet against the concerned workman.

The chargesheet issued against the concerned workman dated 20-5-75 (Ext. M-1) reads as follows :—

"It has been reported to the undersigned by Sri Awadh Narain Singh, Munshi-In-charge that in the first shift of 6-5-75 at about 11.30 A.M. when he instructed you to extend tram line on the depot of No. 8 Seam Incline to keep the empty tubs, you refused to obey his reasonable and lawful instructions, abused him and assaulted on his head with a line measuring gauge as a result of which he sustained serious injury."

As such you are charged for :—

- (a) Wilful insubordination or disobedience, whether alone or in conjunction with another or other of any lawful or reasonable order of a superior under sub-clause 'c' of clause 17(1) of the Model Standing Orders applicable for the Coal Mining Industry.
- (b) Drunkenness, fighting, or riotous disorderly or indecent behaviours while on duty at the place of work, under sub-clause 'e' of clause 17(1) of the Model Standing Orders applicable for the Coal Mining Industry.
- (c) Threatening, abusing or assaulting any superior or co-worker, under sub-clause 'f' of

clause 17(1) of the Model Standing Orders applicable for the Coal Mining Industry.

- (d) Any breach of the Mines Act, 1952 or any other Act or of any rules regulations or bye-laws thereunder or of any standing orders, under sub-clause 'q' of clause 17(1) of the Model Standing Orders applicable for the Coal Mining Industry.

You are therefore asked to explain in writing within 48 hours on receipt of this Charge-sheet as to why disciplinary action should not be taken against you under the above mentioned provisions of the Model Standing Orders.

You are remained suspended pending enquiry and final decision in this matter.

The concerned workman submitted his reply to the chargesheet on 4-6-1975 (Ext. M2) which states as follows :

"Your above chargesheet which I have received on 2nd June, 1975 by post on about 4 P.M. is surprised me badly, as your goodself will also wonder to note that I was suffering from 'POX' since 6-5-1975. I attended only for few minutes to get only leave and inform about my illness, which I already obtained from your goodself. Therefore, this is false to say that I assaulted to Mr. Awadh Narain Singh, when we never met to each other on the date mentioned in your chargesheet.

I will also like to convey that Mr. Awadh Narain Singh, himself admitted before Doctor of Saraidhela Hospital that he got injured by falling of roof ('CHAL'), while he was working in underground, and his this statement clearly shows that I am quite innocent in the matter, and falsely implicated in the case due to false statement of Mr. Awadh Narain Singh.

In the light of above statement, I request your honour to withdraw the above chargesheet, as Mr. Awadh Narain Singh is the right person to ask show cause for his false and baseless statement.

Thanking and assuring you my best activities at all the times."

9. The first count of the charge against the concerned workman is wilful insubordination or disobedience under clause 17(1)(c) of the Model Standing Order for Industrial Establishment in Coal Mines. Though the cases of "disobedience" and "insubordination" may overlap in certain cases, "insubordination" and "disobedience" would constitute different categories of misconduct. An employee must obey all lawful orders given to him by the employer. It is the duty of an employee to comply with the lawful orders of the employer because obedience of superior officers and loyalty to the management are inherent in the jural relationship of master and servant. It remains to be considered now, if Awadh Narain Singh was the superior officer of the concerned workman and whether Sri Singh was competent to issue him any order for execution of certain jobs.

10. The nomenclature and job description of Line Mistry are available in Central Wage Board for the Coal Mining Industry and the Book-let issued by the Joint Bi-partite Committee for the Coal Mining Industry on Nomenclature, Job Description and Categorisation of the coal employees. The job descriptions of Line Mistry, as per recommendations of Central Wage Board for the Coal Mining Industry is as follows .

"A manual worker who lays and maintains tracks generally 2'-0" gauge on which the tubs of mine cars run. The weight of the rails varies from 30 lbs. per yard to 50 lbs. per yard. The sleepers used are generally designated as "rough tramline". For diesel locomotive haulage heavier track and sleepers are generally used than the rope haulage tracks."

The same job description has been retained by the Joint Bi-partite Committee.

The nomenclature of Munshi-in-Charge is not available either in the Central Coal Wage Board Recommendation or Joint Bi-partite Committee Book-let. It might be that the management introduced such nomenclature in order to evolve out a cohesive pattern in the system of working in the mine. The point is that whether Sri A. N. Singh had authority or competency to give order to the concerned workman, a Line Mistry, for execution of his job and the concerned workman, working as Line Mistry, was duty bound to carry out his order.

Shri A. N. Singh in his testimony before this Tribunal has stated that at the relevant time there were 4 or 5 inclines in Patherdih colliery and in every incline and for every shift there was an underground munshi. He has admitted that there was no general Office Order of the management envisaging that he was put in charge of all line mistries. Nevertheless, he has stated that there was Office Order envisaging that all line mistries working in 8 and 9 inclines were put under his supervision and control and he further stated that he could produce the documents if required. But that document was never produced. On the other hand, the concerned workman has stated that line mistries were not to take orders from Sri A.N. Singh and that they were to take orders from the overman or manager and hence the question of Sri A. N. Singh's giving direction to him to extend the tram line does not arise. In cross-examination he has stated that A. N. Singh was not the Munshi-in charge of the colliery at the relevant time. He has also denied that all line mistries work under his supervision and control. The management has not produced any document to establish the fact that line mistries, including the concerned workman were working under the supervision and control of Sri Singh. This being the evidence on record I am constrained to hold that the concerned workman did not commit the offence of misconduct of wilful insubordination or disobedience as enumerated in charge (a) of the charge-sheet.

11. Now, I will consider if the concerned workman is guilty of the offence of misconduct as spelt out in the charge (b) for drunkenness, fighting, or

riotous disorderly or indecent behaviour while on duty at the place of work and (c) for threatening, abusing or assaulting any superior or co-worker as per Clause 17(1)(e) and r) of the Modal Standing Orders.

Sri A. N. Singh, in his testimony before this Tribunal has not disclosed that he was threatened or abused by the concerned workman in any way. The other two witnesses, MW-2 L.P. Choubey and MW-4 Kameshwar Yadav have not stated anything to suggest that Sri Singh was threatened or abused by the concerned workman.

12. The case of the management is that on 6-5-75 at about 11 to 11.30 A.M. the concerned workman hit Sri A. N. Singh on the head by line measuring gauge. The case of the concerned workman is that he was not on duty on that date and that he has been framed up in a false case by Sri Singh on account of union rivalry. It transpires from the evidence that the concerned workman was a member of the union led by Sri A. K. Roy while Sri A. N. Singh was a member of Congress union. The witnesses for the management, namely, MW-2 L. P. Choubey, MW-3 A.N. Singh and MW-4 Kameshwar Yadav have stated that the concerned workman was on duty on 6-5-1975 in the first shift commencing from 8 A.M. and lasting till 4 P.M. The concerned workman has stated in his testimony that he was on leave on that date and came to the colliery only to take formal leave since he was suffering from chicken pox since 6-5-1975 and that he attended only for a few minutes to take leave and inform about his illness which he already obtained from the Manager and so it was false to say that he assaulted A.N. Singh whom he never met on the date of alleged occurrence. MW-2 L.P. Choubey has claimed in his testimony that the concerned workman was detailed for duty in the first shift on 6-5-1975 and that he marked his (concerned workman) attendance on that date and he was performing his duty as usual. The question as to whether the concerned workman attended his duty on 6-5-1975 as alleged by the management or not could have been set at rest by production of Attendance Register. But the management has not produced the Attendance Register. It does not appear that the attendance register was produced before the inquiry Officer. In the circumstances there is no solid evidence to come to the conclusion that the concerned workman attended his duty on 6-5-1975 in the first shift.

13. It is the firm case of the management that the concerned workman assaulted A.N. Singh on his head with line measuring gauge. According to the testimony of the concerned workman line measuring gauge is made of solid steel 3 ft. in length and 4 inches in width. According to A. N. Singh, line measuring gauge is made of iron 3ft in length, 2 inches in width and 2 inch in thickness. Thus, it appears that line measuring gauge is such a tool that if any human being is assaulted on his bare head with such a tool, the injury could be fatal. According to the case of the management, the concerned workman hit Shri A. N. Singh on his head with this tool. But strange enough Sri Singh appears to have withstood such assault ends and remained in the hospital for 17/18

days as per his own testimony. It is the ipse dixit of Sri Singh that he remained in the hospital for 17/18 days for hospital record was not produced in the domestic enquiry nor has it been produced before this Tribunal.

Anyway, the evidence on record indicates that Sri Singh was taken to the colliery dispensary and from there he was taken to and admitted in Central Hospital, Dhanbad. The record of the colliery dispensary has not been produced. The photo copy of the Bed Head Ticket of Sri Singh in Central Hospital, Dhanbad, has been produced by the sponsoring union and marked Ext. W-2. This Bed Head Ticket does not indicate that Sri Singh received severe injury on his head. Having regard to the weapon of offence used for inflicting injury on the head of Sri Singh, the nature of injury sustained by him appears to me to be very surprising.

14. Sri R. S. Murthy has drawn my attention to Ext. M-8 which is a letter of Medical Officer, Central Hospital, Dhanbad in reply to the letter of Senior Personnel Officer, Patherdih colliery, Dhanbad. The doctor has disclosed in this letter that the case was seen by Lt. A. K. Sinha and as per his note in the case-sheet the patient stated that he was hit by some co-worker and had a fall about 11 hours on 6-5-1975. Dr. Sinha was not examined in the domestic enquiry nor has he been produced as witness before me. The Bed Head Ticket (Ext. W-2) of the patient indicates that the history of the case was at first written as "fall on duty to-day at 11 A.M.". This was recorded at about 12.25 P.M. At 12.35 P.M. it was recorded that he was hit by some co-worker. It has remained inexplicable as to why Sri Singh failed to disclose the name of his assailant before the attending physician, Central Hospital, Dhanbad.

15. The only eye witness to the occurrence examined in this case is MW-4 Kameshwar Yadav. He has stated that he saw the concerned workman assaulting A.N. Singh with line measuring gauge and as a result Sri Singh became unconscious and he tried to apprehend the assailant but he fled away. He has further stated that he carried Sri Singh to the colliery dispensary. He has claimed to have told the Enquiry Officer that he lifted Sri Singh on his shoulder and carried him to the colliery dispensary. But evidently he did not state before the Enquiry Officer that he lifted Sri Singh on his shoulder and carried him to the colliery dispensary. It is his evidence that he did not tell the Manager of other officer of the colliery about the occurrence and some of them personally reached the place of occurrence. He did not also inform the police that Sri Singh was assaulted by the concerned workman with line measuring gauge as he did not consider it his duty to do so. Thus, it is seen that this witness has embellished facts and did not consider it his duty to report either to the higher authority or to the police about the occurrence. It is very difficult to place reliance upon the testimony of such a witness.

According to Shri A. N. Singh, Shri Gambhir Jha, Attendance Clerk, was on duty at that time and witnessed the occurrence. But he is no more in the mortal world. But Gambhir Jha deposed in the domestic enquiry; he did not state before the Enquiry Officer that he saw the concerned workman assaulting

A.N. Singh. He simply stated that he was reported by Kameshwar Yadav that the concerned workman assaulted Sri A. N. Singh.

16. According to the evidence of MW-4 Kameshwar Yadav, some of the officers personally reached the place of occurrence after the occurrence. It is strange that none of them took pains to ascertain the fact and to take action in the matter. The management slept over the matter for long 13 days, and after receiving the complaint from Sri Singh decided to act and that too peremptorily without making any preliminary enquiry to verify the facts. This circumstance also is without any explanation.

17. The sponsoring union has complained that A.N. Singh was a notorious man and a profligate. It is alleged by the sponsoring union that he was a money lender and muscle-man. Anyway, there is no evidence to prove that Sri Singh was a money lender or a muscle-man. But the sponsoring union has produced an issue of the local News Paper dated Monday 5-9-1988 reporting the news of Sri A. N. Singh alias "Baba Singh" committing rape on a married lady along with two others. When confronted with this news item Sri Singh stated that he does not know what appeared in the news paper about his activities and that he has not read anything regarding his activities.

18. Considering the evidence on record and circumstances of the case, I am constrained to hold that the management has failed to prove its case that the concerned workman assaulted A. N. Singh on 6-5-1975 at about 11.30 hours with line measuring gauge.

It is significant to observe that neither Sri A. N. Singh nor the management launched any criminal case against the concerned workman for the offence allegedly committed by him and which is considered grave by the management.

19. The last count of the charge is of general nature and it suffers ambiguities inasmuch as it does not disclose what Sections of the Act or Provisions of Rules or Regulations have been contravened by the concerned workman and by what overt or covert acts. In the circumstances, the action of the management in dismissing the concerned workman from service on the ground of his having assaulted A. N. Singh is not justified. Consequently the concerned workman is entitled to be reinstated in service with back wages which, in the circumstances of the case, I fix at the rate of 70 per cent.

20. Accordingly, the following award is rendered—the action of the management of Patherdih Colliery of M/s. B.C.C. Ltd., P.O. Patherdih, Dist. Dhanbad, in dismissing from service-Sripati Bouri, Line Mistry with effect from 8/27-7-1976 is not justified. The management is directed to reinstate him in service within one month from the date of publication of the award and to pay him back wages at the rate of 70 per cent from the date of his dismissal from service till he reports for duty. The concerned workman is directed to report for duty within one month from the date of publication of the award.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer.
[No. L-20012/18/81-D.III(A)/IR(Coal-I)]

का. अ. 866.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बास्ताकोला एरिया नं. IX आफ मैसर्स भारत कोकिंग कोल लिटि. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1 धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 26 फरवरी 1991 को प्राप्त हुआ था।

S.O. 866.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. I, Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Bastacolla Area No. IX of M/s. B.C.C.L. and their workmen, which was received by the Central Government on the 26-2-1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD.

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act 1947

REFERENCE NO. 159 OF 1989

PARTIES :

Employers in relation to the management of Bastacolla Area No. IX of M/s. BCCL, P.O. Jharia, Dist. Dhanbad.

AND

Their workmen.

For the Employers.—Shri B. Joshi, Advocate.
For the workmen.—None.

STATE : Bihar. INDUSTRY : Coal.
Dated, Dhanbad, the 15th February, 1991

AWARD

The present reference arises out of Order No. L-20012/137/89-I.R. (Coal. I), dated, New Delhi, the 15th November, 1989 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the Schedule to the said order and the said schedule runs as follows :

“Whether the action of the management of Bastacolla Area No. IX of M/s. Bharat Coking Coal Ltd. in dismissing Shri Bharat Nishad Sales Assistant vide their letter No. BCCL/IX/GM/87/1-8/949 dated 8/12 June, 1987 is justified? If not, to what relief the workman concerned is entitled?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court I have gone through the terms of settlement and I find the quite fair and reasonable. There is no reason why an Award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the Award.

3. Let a copy of this Award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer
[No. L-20012/137/89-IR(Coal-I)]

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO 1 AT DHANBAD

Reference No. 159/89

Employers in relation to the Management of Bastacolla Area of M/s. BCCL.

AND

Their Workmen.

Petition of Compromise

The humble petition on behalf of the parties to the above reference most respectfully sheweth :

1. That the above dispute has been amicably settled between the parties on the following terms :—

Terms of Settlement

- That the concerned workman Sri Bharat Nishad will be given employment within 30 days from the date of his reporting for his duty on some non-sensitive job maintaining his original clerical grade.
- That after observing his sincere and honest conduct for a period of one year his case will be reviewed for his reinstatement with continuity of service treating the period of idleness from the date of his dismissal till his resumption duty as leave without wages.
- That the concerned workman will not be entitled to back wages and benefits for the period from the date of his dismissal till the resumption of his duty and will not claim for the same subsequently.

3. That in view of the aforesaid Settlement, there remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the Settlement as fair and proper and be pleased to pass the Award in terms of the Settlement.

For the workman

For the Employers.

(Sd/-) Bharat Mishra

(Sd/-) Bharat Singh

General Manager Bastacolla Area

Part of the Award.

(Sd/-) (Illegible) Presiding Officer

का. अ. 867.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बास्ताकोला एरिया सं. 9 आफ मैसर्स भारत कोकिंग कोल लिटि. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-91 को प्राप्त हुआ था।

S.O. 867.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. I, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bastacolla Area No. IX of M/s. B.C.C.L. and their workmen, which was received by the Central Government on the 26-2-1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

In the matter of a reference under Section 10(1) (d) of the Industrial Disputes Act, 1947

Reference No. 138 of 1989

PARTIES

Employers in relation to the management of Bastacolla Area No. IX of M/s. BCCL P.O. Jharia, Distt. Dhanbad.

AND

Their workmen.

APPEARANCES

For the employers.—Shri B. Joshi, Advocate.

For the workmen.—None.

STATE : Bihar INDUSTRY : Coal

Dated, Dhanbad, the 15th February, 1991

AWARD

The present reference arises out of Order No. L-20012(142)89-1 R. (Coal-I), dated, New Delhi, the 3rd November, 1989 passed by the Central Government in respect of an Industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the Schedule to the said order and the said schedule runs as follows :—

"Whether the action of the management of Bastacolla Area No IX of M/s. Bharat Coking Coal Ltd., in dismissing Shri Kamta Prasad Singh, Weigh Bridge Clerk, vide their letter No. BCCL/IX/GM/87 : L-8/948 dated 8/12-6-1987 is justified? If not, what relief the concerned workman entitled to?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an Award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the Award.

3. Let a copy of this Award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer
[No. L-20012/142/89-IR (Coal-I)]

K. J. DYVA PRASAD, Desk Officer.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

Reference No. 138/89

Employers in relation to the Management of Bastacolla Area of M/s. BCCL.

AND

Their workmen.

Petition of Compromise

The humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That the above dispute has been amicably Settled between the parties on the following terms :—

Terms of Settlement

(a) That the concerned workman Sri Kamta Prasad Singh will be given employment within 30 day from the date of his reporting from his duty on some non-sensitive job maintaining his original clerical grade.

(b) That after observing his sincere and honest conduct for a period of one year his case will be reviewed for his reinstatement with continuity of service treating the period of idleness from the date of his dismissal till his resumption duty as leave without wages.

(c) That the concerned workman will not be entitled to back wages and benefits for the period from the date of his dismissal till the resumption of his duty and will not claim for the same subsequently.

3. That the view of the aforesaid Settlement, there remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the Settlement as fair and proper and be pleased to pass the Award in terms of the Settlement.

For the workman

Sd/- Kamta Pd. Singh.

Part of the Award

Sd/- Illegible

For the Employers

Sd/- Bharat Singh

General Manager

Bastacolla Area

